



**LEBANON ZONING BOARD OF ADJUSTMENT  
JANUARY 3, 2022 - 7:00 PM  
COUNCIL CHAMBERS, CITY HALL OR  
REMOTE VIA VIRTUAL PLATFORM  
LEBANONNH.GOV/LIVE**

- 
- 1. Call to Order**
  - 2. Approval of Minutes**
    - A. December 6, 2021
  - 3. Public Hearing Items**
    - A. **Cicotte Properties, LLC, 175 Heater Road (Tax Map 64, Lot 30), zoned IND-L:** The property is improved with a non-conforming vehicular sales use. Applicant requests a Special Exception per Section 702.1 of the Zoning Ordinance, or if appropriate, a variance to permit additional parking on the subject property. ZB2021-24-SE - Continued from December 6, 2021
    - B. **Cote Swenson & Samantha Medina, 397 Dartmouth College Highway (Tax Map 111, Lot 9), zoned RL-2:** Applicants request a Special Exception per Section 313.2 of the Zoning Ordinance to convert the existing contractor's yard use to a produce stand use. **ZB2022-01-SE - Postponed at the request of the applicant. Once rescheduled, the new hearing date will be readvertised and renoticed to abutters.**
    - C. **Chorro, LLC, 77 Bank Street (Tax Map 92, Lot 79), zoned R-O:** Applicant requests a Special Exception per Sections 311.2 and 601 of the Zoning Ordinance to convert the existing building to an 8-unit multi-family dwelling, and a Variance from Section 311.3 to allow 8 dwelling units where 5 dwelling units is the maximum allowed based on the size of the property. **ZB2022-02-SEVAR**
  - 4. Staff Comments**
  - 5. Election of Officers**
    - A. Chair and Vice Chair
  - 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](https://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.

**Lebanon Zoning Board of Adjustment Agenda**  
**January 3, 2022**

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If you have any questions or would like to view the files for the application identified above, please contact the Planning & Development Department by sending an e-mail to [planning@lebanonnh.gov](mailto:planning@lebanonnh.gov), or by calling 603-448-1457, or by visiting the Planning and Development Office located in City Hall during regular work hours, Monday through Thursday, 7AM to 5PM. The application materials will also be posted to the City's website at [LebanonNH.gov/Agendas](http://LebanonNH.gov/Agendas).

**Agenda  
Zoning Board of Adjustment  
January 3, 2022**

**Agenda Item #2A  
Approval of Minutes**

**December 6, 2021**

DRAFT

**LEBANON ZONING BOARD OF ADJUSTMENT  
COUNCIL CHAMBERS, CITY HALL OR  
REMOTE VIA VIRTUAL PLATFORM  
LEBANONNH.GOV/LIVE  
MONDAY, December 6, 2021  
7:00 PM**

**MEMBERS PRESENT:** Chair William Koppenheffer, Jeremy Katz, Dan Nash, Dave Newlove,  
Paul McDonough (Alt), Jennifer Barkley (Alt)

**MEMBERS ABSENT:** Vice Chair Mercer

**STAFF PRESENT:** Tim Corwin – Senior Planner and Zoning Administrator

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**1. CALL TO ORDER**

The meeting was called to order at 7:44 PM by Vice Chair Mercer.

**2. APPROVAL OF MINUTES**

**Mr. McDonough was given voting privileges for the Minutes.**

**A. November 1, 2021**

*Mr. Nash MOVED to approve the November 1, 2021, Minutes as presented in the December 6, 2021, packet.*

*Seconded by Mr. Katz.*

Amendments. None

*\*The Vote on the Motion was approved (5-0).*

**3. PUBLIC HEARING ITEMS**

- A. Paul Perkins, 5 Crafts Hill Road (Tax Map 44, Lot 20, Plot 100), zoned RL-3:** The property is improved with a one-family dwelling. Applicant requests a Special Exception pursuant to Article III, Section 314.2 of the Zoning Ordinance to allow the construction of an accessory shed. **ZB2021-23-SE**

Mr. Perkins appeared on behalf of the application. The shed would be about 30 feet from the house. It would be a 12 by 16 foot shed. It would be a good distance from any property lines. The intent of the shed is to be storage, such as lumber, old furniture, not motorized vehicles.

**Chair Koppenheffer opened the Public Hearing. Hearing no one, the Public Hearing was closed.**

*Mr. Nash MOVED On December 6, 2021, at a duly noticed meeting of the Lebanon Zoning Board of Adjustment, there appeared Paul Perkins regarding 5 Crafts Hill Road (Tax Map 44, Lot 20, Plot 100), zoned R-3 & RL-3: The property is improved with a one-family dwelling. Applicant requests a Special Exception pursuant to Article III, Section 314.2 of the Zoning Ordinance to allow the construction of an accessory shed. ZB2021-23-SE*

**I. FINDINGS OF FACT**

1 Based on testimony given, application materials presented, and supporting documents submitted, the  
2 Lebanon Zoning Board of Adjustment makes the following findings of fact:

- 3
- 4 1. The subject property is a +/-10.1-acre parcel located in the Rural Lands Three (RL-3) zoning  
5 district (a small portion of the lot located near its frontage on the Pasture Lane cul-de-sac is zoned  
6 R-3).  
7
- 8 2. On March 20, 1989, the ZBA granted a Special Exception to allow the construction of a one  
9 family dwelling on the RL-3 portion of the lot (ZB-6-24-1-89). The applicant is now seeking a  
10 Special Exception pursuant to Article III, Section 314.2 to permit the construction of a 192 sq. ft.  
11 accessory shed.  
12
- 13 3. Under Section 314.2 of the Zoning Ordinance, one family dwellings are allowed only by Special  
14 Exception in the RL-3 zoning district. Pursuant to Section 302.2 of the Zoning Ordinance,  
15 “Accessory uses shall be considered permitted uses in all districts except that where such uses are  
16 accessory to uses permitted [...] by special exception, the accessory use shall also require a [...]   
17 special exception, respectively.” As a result, the proposal to construct an accessory shed for the  
18 existing one-family dwelling is subject to the Special Exception criteria within Section 801.3 of  
19 the Zoning Ordinance.  
20
- 21 4. The applicant has submitted written testimony addressing the Special Exception standards of  
22 Section 801.3 in an application packet received on November 1, 2021.  
23
- 24 5. No one spoke for or against the proposal.  
25

## 26 **II. CONCLUSIONS OF LAW**

- 27
- 28 1. The Special Exception is specifically authorized by Sections 302.2 and 314.2 of the Zoning  
29 Ordinance. (Section 801.3.A)  
30
- 31 2. There are no special conditions/requirements for the requested Special Exception. (Section  
32 801.3.B)  
33
- 34 3. There **are no** existing violations of the Zoning Ordinance on the property that the granting of the  
35 Special Exception would not remedy. (Section 801.3.C) *Staff is not aware of any Zoning*  
36 *Ordinance violations on the property.*  
37
- 38 4. The character of the area **will not** be adversely affected. (Section 801.3.D)  
39
- 40 5. **No** hazard or nuisance will be created. (Section 801.3.E)  
41
- 42 6. The capacity of existing or planned community facilities and services (including streets and  
43 highways) **will not** be adversely impacted. (Section 801.3.F)  
44
- 45 7. The granting of the Special Exception **will not** result in undue municipal expense. (Section  
46 801.3.G)  
47
- 48 8. The proposed Special Exception **will** be developed in a manner compatible with the spirit and  
49 intent of the ordinance. (Section 801.3.H)  
50
- 51 9. The general welfare of the City **will** be protected. (Section 801.3.I)

1  
2 **III. DECISION**  
3

4 Now therefore be it resolved, the Lebanon Zoning Board of Adjustment, on this 6<sup>th</sup> day of December,  
5 2021, hereby **GRANTS** the requested Special Exception per Sections 302.2 and 314.2 of the Zoning  
6 Ordinance to allow to allow the construction of an accessory shed at 5 Crafts Hill Road (Tax Map 44, Lot  
7 20, Plot 100), zoned R-3 & RL-3, as set forth above and per testimony, plans, and materials submitted,  
8 and per the following conditions:  
9

- 10 1. The applicant shall obtain a building permit.  
11

12 *Seconded by Mr. Katz.*  
13

14 **Ms. Barkley was given voting privileges for this hearing.**  
15

16 *\*The Vote on the Motion was unanimously approved (5-0).*  
17

18 **B. JW Sandri, Inc., Rexbo Realty, Inc., 201 South Main Street (Tax Map 115, Lot 18),**  
19 **zoned GC:** Non-static signs, including digital signs, are prohibited per Section 608.3.C of the  
20 Zoning Ordinance. Applicant requests a Variance from Section 608.3.C to allow a digital sign  
21 for the display of gasoline prices. **ZB2021-25-VAR**  
22

23 Erika Young of Sandri Energy appeared on behalf of the application. The Lebanon location is their  
24 number one site in volumes of service; they have critical staffing issues. The current signage requires a  
25 person to go outside to change each individual pricing. There are 12 different pricings, and they are  
26 sometimes changing the prices many times a week. It is difficult with the winter weather, and it creates  
27 an unsafe situation because of the location of the sign. It frequently requires the use of a ladder in the  
28 winter. An LED sign would be much safer and more practical. In the future they would like to replace  
29 the signs on top of the pumps with digital signs. Changing the LED signs could be done from the inside  
30 the building. The dimensions of the proposed sign are the same as the existing sign. About 60% of the  
31 signs in other locations are LED. This is the first station they are applying to change the signs. The  
32 staffing issues are at all their locations, but this one is the most severe because there are so many  
33 entrances and points of service.  
34

35 The benefit of LED signs seems to be related to the industry and not the use of and the hardship of the  
36 land, which is a requirement of a variance. Other types of businesses do not have the same requirements  
37 to make so many changes to their prices, which are volatile at this time. The signs would be static until  
38 the price has to changed. They do not repeatedly change or have flashing messages, like some  
39 competitors' signs. The price on the sign only changes when the market change affects the price change.  
40 There are 12 gas stations in Lebanon, 6 of which have digital signs and 6 which do not. To be eligible to  
41 get a variance, there must be something unique to the parcel of land that differentiates it from other  
42 properties that are similarly situated. The other service stations in Lebanon that have LED signs were  
43 grandfathered. The Zoning Board cannot change the City's policy. A hardship must be shown. Ms.  
44 Young stated that the several thousand of cars coming into that location every day and the quickly  
45 moving traffic off the interstate are an unsafe situation for people on the asphalt driveways. She believes  
46 it creates an unsafe situation in that location. However, it was observed by the Chair that the  
47 Southernmost entrance is used by cars going North and when they make that turn the sign is not in the  
48 way of those moving vehicles.  
49

50 **Chair Koppenheffer opened the Public Hearing. Hearing no one, the Public Hearing was closed.**  
51

1 **Mr. McDonough was appointed voting privileges for this hearing.**

2  
3 Staff clarified how the digital sign regulations were determined by the City Council. They are clearly  
4 prohibited by the regulations. LED signs make good sense, but they are not allowed. Mr. Nash said he is  
5 the lone dissenter. Even though the signs are digitally lit, they are going to be static. It was the  
6 constantly changing signs that the City really wanted to prohibit. He believes that a static sign is a  
7 reasonable request, and he would support it.  
8

9 ***Mr. Katz MOVED On December 6, 2021, at a duly noticed meeting of the Lebanon Zoning Board of***  
10 ***Adjustment, there appeared Erica Young, on behalf of JW Sandri, Inc. and Rexbo Realty, Inc., regarding***  
11 ***201 South Main Street (Tax Map 115, Lot 18), zoned GC: Non-static signs, including digital signs, are***  
12 ***prohibited per Section 608.3.C of the Zoning Ordinance. Applicant requests a Variance from Section***  
13 ***608.3.C to allow a digital sign for the display of gasoline prices. ZB2021-25-VAR***  
14

15 **I. FINDINGS OF FACT**

16  
17 Based on testimony given, application materials presented, and supporting documents submitted, the  
18 Lebanon Zoning Board of Adjustment makes the following findings of fact:  
19

- 20 1. The property, located at the northeastern corner of the I-89 Exit 20 interchange, is improved with  
21 a convenience store (Sandri) that also sells gasoline. The applicant proposes to replace the manual  
22 gas price panel on the existing freestanding with a digital gas price panel.  
23
- 24 2. Non-static signs, including digital signs, are prohibited per Section 608.3.C of the Zoning  
25 Ordinance. Applicant requests a Variance from Section 608.3.C to allow a digital sign for the  
26 display of gasoline prices.  
27
- 28 3. To obtain the requested Variance, the applicant must demonstrate compliance with each of the five  
29 variance criteria as set forth in Section 801.2 and NH RSA 674:33, I(b).  
30
- 31 4. Nobody else spoke either for or against the application.  
32

33 **II. CONCLUSIONS OF LAW**

34  
35 As a result of the above findings of fact and based on testimony given, application materials presented, and  
36 supporting documents submitted, the Board concludes the following with respect to the Variance criteria  
37 set forth in Section 801.2 of the Zoning Ordinance:  
38

- 39 1. The variance **will not** be contrary to the public interest. (Section 801.2.A.1)  
40
- 41 2. The spirit of the ordinance **is not** observed. (Section 801.2.A.2)  
42 Specifically, the purpose is to ban digital signs. In the 2018 change, the ordinance was amended  
43 to specifically do such.  
44
- 45 3. Substantial justice **is not** done. (Section 801.2.A.3)  
46 Specifically, the restriction is equally born by all in the District.  
47
- 48 4. The values of surrounding properties **are not** diminished. (Section 801.2.A.4)  
49
- 50 5. Literal enforcement of the provisions of the ordinance **would not** result in an unnecessary hardship  
51 because the hardship is with the use, not with the land.

1  
2 **III. DECISION**  
3

4 Now therefore be it resolved, the Lebanon Zoning Board of Adjustment, on this **6<sup>th</sup> day of December 2021**,  
5 hereby **DENIES** the requested Variance from Section 608.3.C of the Zoning Ordinance to allow a digital  
6 sign for the display of gasoline prices at 201 South Main Street (Tax Map 115, Lot 18), as set forth above  
7 and per testimony, plans, and materials submitted.  
8

9 *Seconded by Mr. Newlove.*

10 *\*The Vote on the Motion was approved (4-1).*

11 *Mr. Nash voted nay.*  
12

13 The order of the meeting was changed. The Board discussed agenda items D through F, which was  
14 followed by item C on the agenda, the request for a Special Exception at 175 Heater Road. The  
15 lettering of the agenda items was changed.  
16

17 **Mr. Nash recused himself for hearings of agenda items C through F.**  
18

19 **C. Cicotte Properties, LLC, 175 Heater Road (Tax Map 64, Lot 30), zoned IND-L:** Appeal  
20 of a purported administrative decision by Planning staff alleged by the applicant to have been  
21 made on November 12, 2021, to not accept an application to the Zoning Board regarding the  
22 subject property. **ZB2021-28-AAD**  
23

24 **D. Cicotte Properties, LLC, 30 Little Heater Road (Tax Map 78, Lot 61), zoned IND-**  
25 **L:** Appeal of an administrative decision by Planning staff purportedly made on November 12,  
26 2021, requiring the applicant to apply to the Zoning Board for certain variances in connection  
27 with the unpermitted installation of a new improved surface on the subject property. **ZB2021-**  
28 **26-AAD**  
29

30 **E. Cicotte Properties, LLC, 9 Pershing Street (Tax Map 78, Lot 48), zoned IND-L:** Appeal  
31 of an administrative decision by Planning staff purportedly made on November 12, 2021,  
32 requiring the applicant to apply to the Zoning Board for certain variances in connection with  
33 the unpermitted installation of a new improved surface on the subject property. **ZB2021-27-**  
34 **AAD**  
35

36 Johanna Cicotte appeared on behalf of the application with Attorney Barry Schuster. As a preliminary  
37 matter the Chair stated he believes that the next three hearings are mute. The supporting documents state  
38 that the City declined to accept the application for a special exception, where in fact that application for  
39 the special exception of 175 Heater Road is on the agenda for tonight's meeting. With regards to Little  
40 Heater Road, in the email correspondence there is no declination because there was no submission or  
41 application filed regarding Little Heater Road. There was no administrative decision within the email  
42 from the Mr. Brooks. It was merely a clarification of what went on before in the previous month  
43 regarding violations. It was simply a reminder. The decision that was made on October 15, was not  
44 appealed. A boundary line decision is carried on through the Planning Board. With the third appeal  
45 regarding 9 Pershing Street, an email of 11/21 the City sent a reminder that an application must be  
46 submitted for a special exception regarding the merging of the two lots for the expansion of the improved  
47 surface. They were first notified of this on 10/14 and on 11/12 a reminder was sent. The applicants are  
48 not required to file; however, the abatement of the code violations can be pursued by the City. The Chair  
49 believes these appeals should be dismissed or denied.  
50

1 Theoretically, the applicants may agree with what the Chair stated, and they may want to withdraw their  
2 requests. Or they may have additional information. Under the rules there are 30 days in which to appeal  
3 an administrative decision. The City made administrative decisions on 10/14, 10/15 and 10/18 and in  
4 addition to the application being mute, they are all three out of time.

5  
6 **Ms. Barkley and Mr. McDonough were given voting privileges for this hearing.**  
7

8 Attorney Schuster appeared and said there is no appeal of any of the decisions made in October.  
9 However, on November 12 there was a feeling after the letter from Mr. Brooks that there was an  
10 administrative decision regarding the properties. The administrative appeals were filed in response to the  
11 notice from Planning Staff to file certain variance applications. Two of those were not applicable because  
12 of their applications to the Planning Board. The applicants wanted the Zoning Board to know they were  
13 not being derelict. At the time they filed the appeals, they had not been approved to appear tonight. They  
14 are withdrawing the 175 Heater Road appeal. They now believe the email from Mr. Brooks was not an  
15 administrative decision.

16  
17 ***Mr. Katz MOVED regarding ZB2021-26-AAD, 30 Little Heater Road (Tax Map 78, Lot 61), as well as***  
18 ***9 Pershing Street (Tax Map 78, Lot 48). For both of those an appeal of an administrative decision is***  
19 ***denied for lack of subject matter jurisdiction because the communication from Mr. Brooks did not***  
20 ***constitute a decision of an administrative officer and was simply correspondence in the matter of***  
21 ***enforcement of a violation notice.***

22  
23 ***Second by Mr. Newlove.***  
24

25 The October correspondences contained administrative decisions and the right of appeal of those  
26 decisions. There was no appeal of those administrative decisions. Mr. Brooks' correspondence was a  
27 reminder that if an appeal is not filed and action is not taken, the City will enforce the decisions and  
28 violations. It was a courtesy to the Cicotte Properties.

29  
30 David Brooks, Planning Director, appeared. He cited each of the decisions in his correspondence and the  
31 applicant's options, but his intent was to give the notice that violations still needed to be addressed. The  
32 City will continue to follow through on the citing of the violations.

33  
34 ***\*The Vote on the Motion was unanimously approved (5-0).***  
35

36 All the appeals have been addressed.  
37

38 **F. Cicotte Properties, LLC, 175 Heater Road (Tax Map 64, Lot 30), zoned IND-L:** The  
39 property is improved with a non-conforming vehicular sales use. Applicant requests a Special  
40 Exception per Section 702.1 of the Zoning Ordinance, or if appropriate, a variance to permit  
41 additional parking on the subject property. **ZB2021-24-SE**  
42

43 Procedurally there are some concerns. Zoning Ordinances state that the Planning Department will  
44 draft applications for applicants to use. There are no forms in this application. Therefore, this  
45 application is not complete, because the complete information has not been provided. There are two  
46 alternatives, to continue until there is a complete application. Or the Board can look at the sequence  
47 of events and then the applicants are out of time. That notice informed them that the only way to cure  
48 the violations and flood plains, is to file a variance. The requirements to file a variance and a special  
49 exception are statutory. With everyone present this evening and the application not done correctly,  
50 then if all the arguments are not provided, the applicants may not be granted relief. Some members  
51 would like to see a complete application.

1  
2 The Applicants would like the Board to continue the hearing to give them time to provide an  
3 improved application.

4  
5 Staff said from a procedural standpoint it would be alright to hear from the applicant this evening.

6  
7 *Chair Koppenheffer MOVED to continue this hearing until January 3 to give the applicant time to*  
8 *file an appropriate and complete application.*

9  
10 *Seconded by Mr. Newlove.*

11 *\*The Vote on the Motion was approved (3-2).*

12 *Mr. Katz and Ms. Barkley voted nay.*

13  
14 Mr. Nash returned to the meeting.

15  
16 **4. STAFF COMMENTS**

17  
18 **5. ADJOURNMENT**

19  
20 *Mr. Nash MOVED to adjourn the meeting at 9:02 PM.*

21 *Seconded by Mr. Katz.*

22 *\*The Vote on the Motion was unanimously approved (5-0).*

23  
24 Respectfully submitted,

25 Linda Billings

26 Recording Secretary

**Agenda  
Zoning Board of Adjustment  
January 3, 2022**

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

**Cicotte Properties, LLC, 175  
Heater Road (Tax Map 64, Lot 30),  
zoned IND-L  
ZB2021-24-SE**

**Supplemental Support Statement**  
Cicotte Properties, LLC  
175 Heater Road - Tax Map 64, Lot 30

This Supplemental Support Statement is submitted to accompany the application dated November 4, 2021. That application, for which the boxes for a Special Exception and Variance were both marked with an "x" requests that the Zoning Board grant a special exception for the enlarged parking area on the property. Although the applicant believes that a special exception is the appropriate standard for review, the criteria for a variance are also addressed in the event that the Board wishes to review those as well.

**SPECIAL EXCEPTION**

**PROJECT DESCRIPTION** - Please provide your plans for the property with as much detail as possible with respect to your proposed. You can respond in the space provided, or attach a separate statement.

Cicotte Properties, LLC, requests a special exception to permit additional parking on its property at 175 Heater Road. The property, Lot 30, is presently the site of the Volvo/Volkswagen of Lebanon auto dealership where its use covers the entire lot. Cicotte Properties has filed an application for a boundary line adjustment in order to relocate the boundary line between its Lot 30 property and the property identified as Map 78-61, which is owned by Johanna Cicotte. By adjusting the boundary line, all of the new parking area will be located entirely on the newly reconfigured Lot 30. The new parking is an expansion of outdoor storage of new vehicles displayed for sale by the car dealership.

*SECTION 801.3 Special Exceptions - To hear and decide special exceptions to the terms of this ordinance upon matters which the Board is required to pass under this ordinance. In passing upon any application for a special exception, the Board shall make each of the following findings:*

*A. That the special exception is specifically authorized by a provision of this ordinance:*

Sections 702.1, Section 702.5 and Section 703.1 of the Zoning Ordinance authorize the Zoning Board to grant a special exception for an expansion of a non-conforming use and the expansion of non-conforming structure.

*B. That all special conditions required of the special exception have been met:*

The only special conditions that may apply are included in two sections. The first is Section 702.5 which states:

- 1. The proposed expansion must reflect the nature and purpose of the existing non-conforming use, and must be closely related to the manner in which the property was used at the time the restriction was enacted.*
- 2. The proposed expansion must be merely a different manner of utilizing the*

*same use, and shall not constitute a use which is different in character, nature, or kind.*

*3. The proposed expansion shall not have a substantially different effect on the neighborhood in which the property is located*

The second section is Section 703.1.A which states:

*1. The reasonable use of abutting properties shall not be adversely affected by the proposed expansion.*

*2. The proposed expansion shall not render the lot size proportionately less adequate, i.e. any aspect of the building or structure that is currently non-conforming cannot be made more non-conforming in the absence of a variance.*

*3. These special exception standards shall apply in addition to the standards in Section 801.3 of the Zoning Ordinance.*

The application satisfies all of these special criteria. The proposed expansion of parking reflects the nature and purpose of the existing non-conforming use and is closely related to the car dealership use when the zoning was changed. The proposed use merely formalizes the parking that exists on the property and will have no adverse effect on the industrial neighborhood.

Further, none of the abutting properties will be adversely affected by an incremental increase in parking at the dealership and the new parking will not render the lot size proportionately less adequate.

*C. That there are no existing violations of this ordinance on the property that the granting of this special exception would not remedy:*

The purpose of this application is to resolve the issues raised in the October 18, 2021, letter from the planning department.

*D. That the character of the area shall not be adversely affected:*

The property is situated between Rt. 120 and Heater Road, and the closest neighbor is the truck stop and truck sales facility. Additional paving will have no impact on the neighborhood.

*E. That no hazard or nuisance will be created:*

Additional parking will create no nuisance.

*F. That the capacity of existing or planned community facilities and services (including streets and highways) will not be adversely impacted:*

The additional parking will have no effect on municipal services.

*G. That granting the special exception will not result in undue municipal expense:*

The additional parking will not result in any municipal expense.

*H. That the proposed special exception will be developed in a manner compatible with the spirit and intent of the ordinance:*

Section 303.1 of the Ordinance states that the IND-L zone provides land for manufacturing and other businesses to strengthen the economic base of the City. The auto dealership was approved by the City in the 1980's and "improve[d] employment opportunities and strengthen[ed] the economic base of the city." The additional paving will only enhance those assets for the city.

*I. That the general welfare of the City will be protected:*

The additional parking will be developed to protect the welfare of the City.

## **VARIANCE**

In order to grant a Variance, the Zoning Board of Adjustment must make affirmative findings of certain conditions. Those conditions are listed below:

1. That the variance, if authorized, will not be contrary to the public interest;

As stated with regard to the criteria for a special exception, Section 303.1 of the Ordinance states that the IND-L zone provides land for manufacturing and other businesses to strengthen the economic base of the City. The auto dealership was approved by the City in the 1980's and "improve[d] employment opportunities and strengthen[ed] the economic base of the city." The additional paving will only further the public interest for the city.

To be contrary to the public interest, the variance must "unduly, and in a marked degree" conflict with the ordinance such that it violates the ordinance's "basic zoning objectives." One way to ascertain whether granting the variance would violate basic zoning objectives is to examine whether it would "alter the essential character of the locality." The additional parking will not alter the essential character of the neighborhood.

2. That the variance will observe the spirit of the Ordinance.

The spirit of the ordinance is observed by fostering the purposes of the IND-L district. Since all of the other uses permitted in the zone have parking areas, this will be consistent with those other parking areas. Additionally, the proposed parking does not violate any basic zoning objectives, it does not alter the essential character of the locality and it does not threaten the public health, safety or welfare.

3. That by the granting of the variance, substantial justice will be done;

The auto dealership was approved under prior zoning rules and has continued even though that use was eliminated in later ordinances. Given that the property has been used for auto sales for over 30 years, it would be unjust now not to permit it to increase its parking area by a small measure. There would be a real loss to the applicant and no gain to the general public by denying the variance.

4. That the variance, if authorized, will not diminish the values of surrounding properties and;

All of the directly surrounding properties are either owned or controlled by parties related to the applicant. Other nearby properties include the truck stop, truck sales business and a cleaning company. The additional paving will not affect property values.

5. That denial of the variance would result in unnecessary hardship.

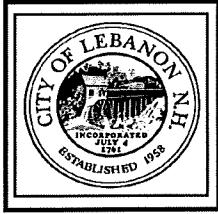
"Unnecessary hardship" would result because this property, which was a permitted use when it was commenced, was zoned out of its use. What was once a use permitted by special exception, lost that designation after it had been operating for a number of years. That change in zoning use is unique to this property and distinguishes it from other properties in the area. There is no fair and substantial relationship exists between the general public purposes of the ordinance provision which seeks to foster economic uses and the specific application of that provision to the property which would prevent a marginal increase in parking area. The proposed additional parking is a reasonable use for an auto sales facility.

As a court recently remarked, applicants are not required to "show that the zoning ordinance deprives them of any reasonable use of the land. Rather, they must show that the use for which they seek a variance is 'reasonable,' considering the property's unique setting in its environment." In this case, the unique setting is that the land is surrounded by IND-L property, it was at one time a permitted use, parking areas are permitted for all other IND-L uses, and the parking area here is a reasonable use by the auto dealership.

**Agenda  
Zoning Board of Adjustment  
January 3, 2022**

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

**Chorro, LLC, 77 Bank Street (Tax  
Map 92, Lot 79), zoned R-O  
ZB2022-02-SEVAR**



## CITY OF LEBANON ~ PLANNING & DEVELOPMENT

### ZONING BOARD OF ADJUSTMENT

January 3, 2022 Meeting

Staff Memorandum – ZB2022-02-SEVAR

#### **APPLICATION INFORMATION**

**Agenda Item:** 3.C

**Property Size (per City Assessor):**  
+/-0.49 acres

**Existing Use:**  
Office building with one dwelling unit  
(per application materials)

**Proposed Use:**  
Eight (8) unit multi-family dwelling

**Overlay Districts:**  
none

**Previous ZBA Action (since 1995):**  
none

**Further Approvals Required:**  
Site plan review & building permit

**Attachments:**  
Application w/ attachments

#### **HEARING NOTICE**

**Chorro, LLC, 77 Bank Street (Tax Map 92, Lot 79), zoned R-O:**  
Applicant requests a Special Exception per Sections 311.2 and 601 of the Zoning Ordinance to convert the existing building to an 8-unit multi-family dwelling, and a Variance from Section 311.3 to allow 8 dwelling units where 5 dwelling units is the maximum allowed based on the size of the property. ZB2022-02-SEVAR

#### **BACKGROUND & PROPOSAL**

According to the application materials, the property is improved with a mixed-use building containing office space and one dwelling unit. The applicant proposes to convert the building to an eight (8) unit multi-family dwelling.

A conversion of a building to a multi-family dwelling is allowed by Special Exception in the R-O District provided that the conversion complies with the requirements set forth in §601 ("Special Design Standards"). Here, the applicant is unable to comply with at least one of the §601 requirements; specifically, §601.4 which requires compliance with the applicable density requirements (per §311.3, in order to accommodate the proposed 8 dwelling units, the lot would need to be at least 28,000 sq. ft. in size, whereas the lot is only 21,200 sq. ft. in size).

Therefore, the proposed multi-family conversion is ineligible for a Special Exception per §601 and instead requires a Variance from §311.2 (the R-O District table of permitted uses).

#### **ZONING ORDINANCE REQUIREMENTS**

To obtain the requested Variance from §311.2, the applicant must demonstrate compliance with each of the five variance criteria as set forth in §801.2 of the Zoning Ordinance and NH RSA 674:33, I(b).

**CITY OF LEBANON  
APPLICATION FOR**

|                                             |                                     |                                                        |
|---------------------------------------------|-------------------------------------|--------------------------------------------------------|
| <b>SPECIAL EXCEPTION</b>                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> <b>SITE PLAN REVIEW</b>       |
| <b>VARIANCE</b>                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> <b>SUBDIVISION</b>            |
| <b>MOTION FOR REHEARING</b>                 | <input type="checkbox"/>            | <input type="checkbox"/> <b>LOT LINE ADJUSTMENT</b>    |
| <b>APPEAL OF AN ADMIN. DECISION</b>         | <input type="checkbox"/>            | <input type="checkbox"/> <b>CONDITIONAL USE PERMIT</b> |
| <input type="checkbox"/> <b>OTHER</b> _____ |                                     |                                                        |

**PROPERTY OWNER (APPLICANT):**

NAME: Chorro, LLC (Tim Sidore, contact) TEL.#: 603-322-3260  
MAILING ADDRESS: 77 Bank Street, Lebanon, NH 03766  
E-MAIL ADDRESS: tim@ledgeworks.com

**CO-APPLICANT, AGENT, OR LESSEE:**

NAME: Studio Nexus Architects (Jim Wasser, contact) TEL.#: 802-275-5110  
MAILING ADDRESS: P.O. Box 275, White River Junction, VT 05001  
E-MAIL ADDRESS: jimw@studionexusarch.com

**PROJECT LOCATION:**

TAX MAP #: 92 LOT#: 79 PLOT #: ZONE: RO - Class I  
STREET ADDRESS OF PROJECT: 77 Bank Street, Lebanon

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

**SCOPE OF PROJECT:** The building is an existing 3-story structure with a partial basement and attached 2-story barn. Work consists of minor renovations to the existing 1st floor business use space converting the second floor office space into three studio apartments and upgrading the access stair to the existing third story 1-bedroom apartment. The barn, which is currently unfinished on the first floor and had offices on the second, will be converted to studio apartments, two each per floor. Site improvements include additional parking, sidewalks and landscaping.

**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: Office

**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: \_\_\_\_\_

DATE: \_\_\_\_\_

**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: *Tim Sidore*

DATE: *9 Dec 2021*

| DATE RECEIVED | FILE # (MAP/LOT) | APPLICATION # | FEE - \$ AMOUNT | DATE PAID  | VOUCHER # |
|---------------|------------------|---------------|-----------------|------------|-----------|
| 12/13/21      | 92/79            | ZBA2022       | \$275.68        | 12-29-2021 | 18591     |

*02-SEVAL*

(Last Revised 4/04/18)



December 13, 2021

Zoning Board of Adjustment,  
City of Lebanon  
51 North Park Street  
Lebanon, New Hampshire 03766

RE: 77 Bank Street Renovations

Dear Commissioners:

We respectfully submit the enclosed application and plans for a Variance and Special Exception for the proposed seven new apartments for the property at 77 Bank Street. These apartments will bring needed housing options to downtown Lebanon in line with the Lebanon Downtown Vision Study.

The 77 Bank Street Building is an existing 3-story wood-frame structure with a partial basement and an attached 2-story barn. Work on the 3-story structure will consist of minor renovations to the existing 1st floor business use space, converting the second floor office space into three studio apartments and upgrading the access stair to the existing third story 1-bedroom apartment. The barn, which is currently unfinished on the first floor and had offices on the second, will be converted to studio apartments, two each per floor.

Studio Nexus Architects of White River Junction have been engaged to assist with site planning and interior design. The project is conceived by the owner of the property, Michael Davidson (of Chorro, LLC). Mr. Davidson has redeveloped the former Lebanon Junior High School and Roy's Gulf; the conversion of 77 Bank Street will be completed with the same sense of preservation and attention to detail. Construction work will begin immediately after permit approval with the goal to complete the work by late spring of 2021, including the installation of a fire sprinkler system.

The 77 Bank Street conversion project promotes Lebanon's purpose of mixed use, high-density redevelopment in the downtown area. This conversion and renovation will allow for an existing business to thrive, while adding much-needed downtown housing units. We propose small, but high quality studio units to meet what our experience shows is the current market demand: units for singles or couples, a familial demographic that is increasing rapidly in the Upper Valley.

**Variance for Minimum Lot Size**

Because of the smaller unit size, we are increasing the unit density beyond the allowable for an RO Class I building on a lot area of 21,200 SF. Maximum allowable lot coverage with existing and proposed is calculated as follows:

- Per Code, an RO class 1 lot area permits two units for the first 10,000 SF, and one additional unit for every additional 3,000 SF
- Lot area = 21,200 SF
- 21,200 SF - 10,000 for (2) units = 11,200 SF remaining; 3.73 additional units permitted for a total of 5.73 units; we are requesting 8 total units.
- We are 2.27 units x 3,000 SF/unit = 6,800 SF of lot short (VARIANCE REQUIRED)

*1. The variance will not be contrary to the public interest;*

- The smaller studio units meets a critical need for the Upper Valley: apartments for singles and couples within walkable distance to a downtown; this also allows us to keep the rent prices of the units lower

*2. The spirit of the ordinance is observed;*

- We are not expanding beyond the existing building footprint and providing adequate parking. In any case the number of parking spaces required would not change were the apartments changed from six studios to three 2-bedrooms, nor would there be an appreciable change in the number of people occupying the building.
- The purpose of the R-O District is "to preserve the residential character of older established neighborhoods". We are making no substantial changes to the building and preserving its historic character.

*3. Substantial justice is done;*

- We are providing adequate parking and not increasing the footprint of the building.

*4. The values of surrounding properties are not diminished;*

- The building to the west is also owned by Mike Davidson and is a multi-family residence with 43 apartments.
- The number of occupants will not be appreciably greater than if the units were larger and fewer; there is no increase in the building footprint and adequate parking and landscaping will be provided.

*5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.*

*(a) In this section "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:*

- (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and*
- (ii) The proposed use is a reasonable one.*
- The purpose of the ordinance is to control density and maintain the residential character of the neighborhood; having more units, but with a similar number of total occupants within the existing building envelope achieves that intent.
- Providing larger units that do not meet the demands of the marketplace would place the project at greater financial risk.

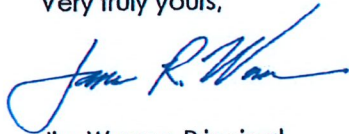
**Special Exception**

In an RO district, multi-family dwelling conversion of 5 dwelling units or more requires a special exception. For similar reasons as stated above for the variance request, the special exception should be allowed.

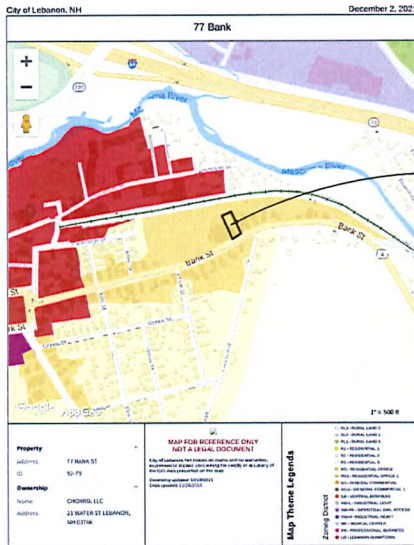
In summary, we are confident our proposal provides much needed housing for the city and the region in an environmentally sensitive way, promoting a more walkable and active downtown, while not negatively impacting the neighborhood and remaining true to the spirit of the Zoning Code and Lebanon's vision for its city.

Thank you for your consideration of our application.

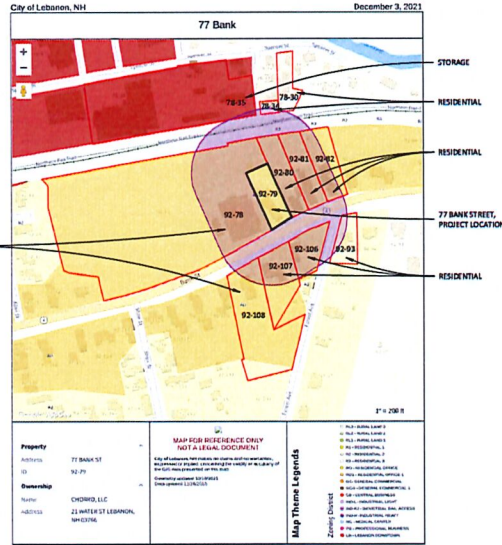
Very truly yours,

A handwritten signature in blue ink, appearing to read "Jim Wasser". The signature is fluid and cursive, with a large initial "J" and a stylized "W".

Jim Wasser, Principal  
Studio Nexus Architects + Planners, LLC



1" = 500' VICINITY REFERENCE MAP



1" = 200' ABUTTER REFERENCE MAP

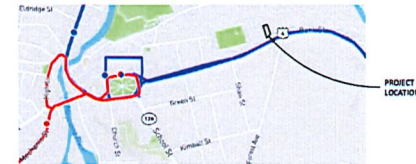
|        |     |                                                        |
|--------|-----|--------------------------------------------------------|
| 1 OF 7 | G-0 | VICINITY & ABUTER PLANS, PHOTOMETRIC, AND ZONING TABLE |
| 2 OF 7 | G-1 | EXISTING ARCHITECTURAL SITE PLAN                       |
| 3 OF 7 | G-2 | ARCHITECTURAL SITE PLAN                                |
| 4 OF 7 | G-3 | FLOOR PLANS                                            |
| 5 OF 7 | G-4 | ELEVATIONS                                             |
| 6 OF 8 | G-5 | SITE AND LANDSCAPE DETAILS                             |
| 7 OF 7 | G-6 | SITE PHOTOS                                            |

**OWNER:**  
LEDGEWORKS  
21 WATER STREET  
LEBANON, NH 03766

**CONTACT: TIM SIDORE**  
EMAIL: [tim@ledgeworks.com](mailto:tim@ledgeworks.com)  
PHONE: 603.727.9024  
CELL: 603.322.3260

**ARCHITECT:**  
STUDIO NEXUS  
ARCHITECTS + PLANNERS, LLC  
48 SOUTH MAIN STREET, SUITE 206  
PO BOX 275  
WHITE RIVER JUNCTION, VT 05001

**CONTACT: JIM WASSER**  
EMAIL: [jimw@studionexusarch.com](mailto:jimw@studionexusarch.com)  
PHONE: 802.275.5110 EXT. 101



TRANSIT ROUTE MAP-ADVANCED TRANSIT RED & BLUE LINES  
(NOT TO SCALE)

#### 77 BANK ST. - ZONING TABLE

| ITEM                                     | Required/Allowable            | 77 Main Street              |                               |
|------------------------------------------|-------------------------------|-----------------------------|-------------------------------|
|                                          |                               | Existing                    | Proposed                      |
| Street Address                           |                               | 77 Bank St.                 | Same                          |
| 1 Zoning District/Designation            |                               | RO                          | Same                          |
| 2 Tax Map & lot number                   |                               | 92-79                       | Same                          |
| 3 Area of Lot (Acres)                    | 10,000 sf minimum             | 21,200 sf                   | Same                          |
| 4 Building Gross Floor Area (SF)         |                               | 5,635                       | Same                          |
| 5 Parking Spaces                         | 14/21                         | 18                          | 18                            |
| 6 Short/Long term Bicycle Storage Spaces |                               | 0                           | Up to 6                       |
| 7 Number of Loading Spaces               |                               | None                        | None                          |
| 8 Building Height (Ft)                   | 45' (maximum)                 | 35'                         | 35'                           |
| 9 Number of Stories                      |                               | 3 not including basement    | Same                          |
| Basement                                 |                               | 1,393                       | Same                          |
| First                                    |                               | 2,467                       | Same                          |
| Second                                   |                               | 2,424                       | Same                          |
| Third                                    |                               | 744                         | Same                          |
| 10 Use                                   | Office, Multi-Family Dwelling | Office, One Family Dwelling | Office, Multi-Family Dwelling |
| 11 Setbacks (Ft)*                        |                               |                             |                               |
| Front                                    | 20                            | 20                          | 20                            |
| Side                                     | 15                            | 15                          | 15                            |
| Rear                                     | 20                            | 20                          | 20                            |
| 12 Building Footprint Area (SF)          | None                          | 2,931                       | 2,956                         |
| Total Building Coverage on Lot (%)       | 25%                           | 13.8%                       | 13.9%                         |
| 13 Overlay District                      |                               | None                        | None                          |
| Impervious surfaces (%)                  |                               | 47.3%                       | 59.3%                         |
| Impervious surfaces (sf)                 |                               | 10,017                      | 12,571                        |

NOTE PER THE CITY OF LEBANON SITE PLAN REGULATIONS, SECTION 6.7.2C AND 6.7.2D:

- LIGHTING INSTALLATIONS SHALL UTILIZE FULLY SHIELDED FIXTURES, AS DEFINED HEREIN, OR FULL CUT-OFF FIXTURES, AS DEFINED BY THE IESNA, SO AS TO PRODUCE NO LIGHT ABOVE THE HORIZONTAL PLANE THROUGH THE LOWEST DIRECT LIGHT-EMITTING PART OF THE FIXTURE.
- LIGHTING INSTALLATIONS SHALL INCLUDE TIMERS, DIMMERS, SENSORS AND OR OTHER ENERGY SAVING TECHNOLOGIES TO REDUCE OVERALL ENERGY CONSUMPTION. NON-ESSENTIAL LIGHTING SHALL BE TURNED OFF OR REDUCED AFTER NORMAL BUSINESS HOURS, LEAVING ONLY NECESSARY LIGHTING FOR SECURITY PURPOSES. (NON-ESSENTIAL LIGHTING INCLUDES, BUT MAY NOT BE LIMITED TO, DISPLAY, AESTHETIC, PARKING AND/OR SIGN LIGHTING AS DETERMINED BY THE BOARD)

PHOTOMETRIC  
LIGHTING PLAN  
GOES HERE



**Chorro LLC**

**77 Bank Street  
Apartments**

Issued For:  
SITE PLAN REVIEW



THESESEAL IS VALID FOR THE STATE OF NEW HAMPSHIRE ONLY. IT IS THE RESPONSIBILITY OF THE ARCHITECT TO MAINTAIN THE SEAL AND TO RENEW IT AS REQUIRED. THE SEAL IS NOT VALID FOR ANY OTHER PURPOSES.

Issue Date: December 13, 2021

| Revisions |             |      |
|-----------|-------------|------|
| No.       | Description | Date |
|           |             |      |
|           |             |      |

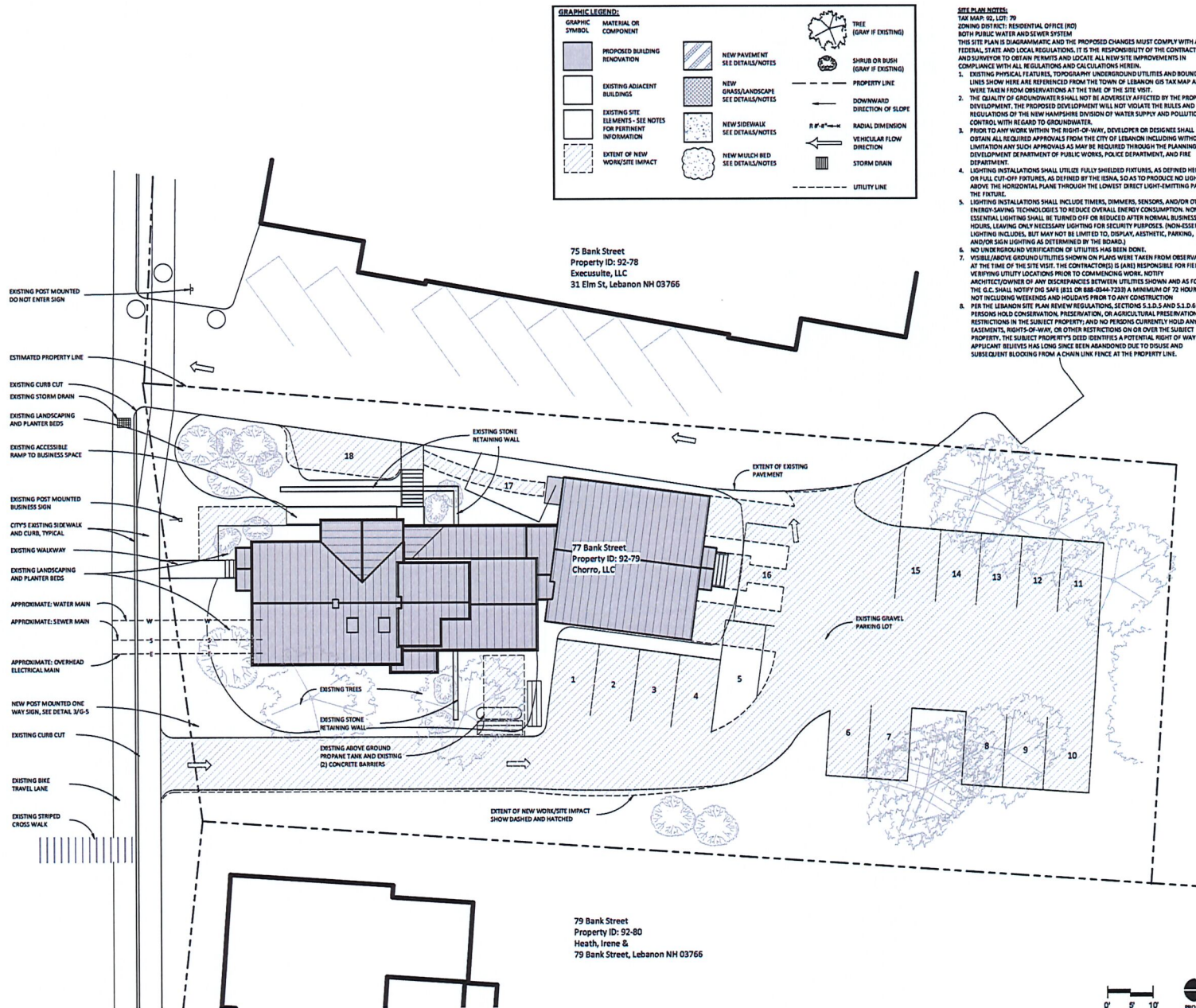
**VICINITY & ABUTER  
PLANS,  
PHOTOMETRIC,  
AND ZONING  
TABLE**

Project No.: 2114

**G-0**  
1 OF 7

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Bank Street



**STUDIO NEXUS**  
ARCHITECTS + PLANNERS  
PO Box 275, White River Junction, VT 05001  
802 275 5110 | studio@nexusarch.com

**Chorro LLC**  
**77 Bank Street Apartments**

Issued For: SITE PLAN REVIEW



Issue Date: December 13, 2021

| Revisions |             |      |
|-----------|-------------|------|
| No.       | Description | Date |
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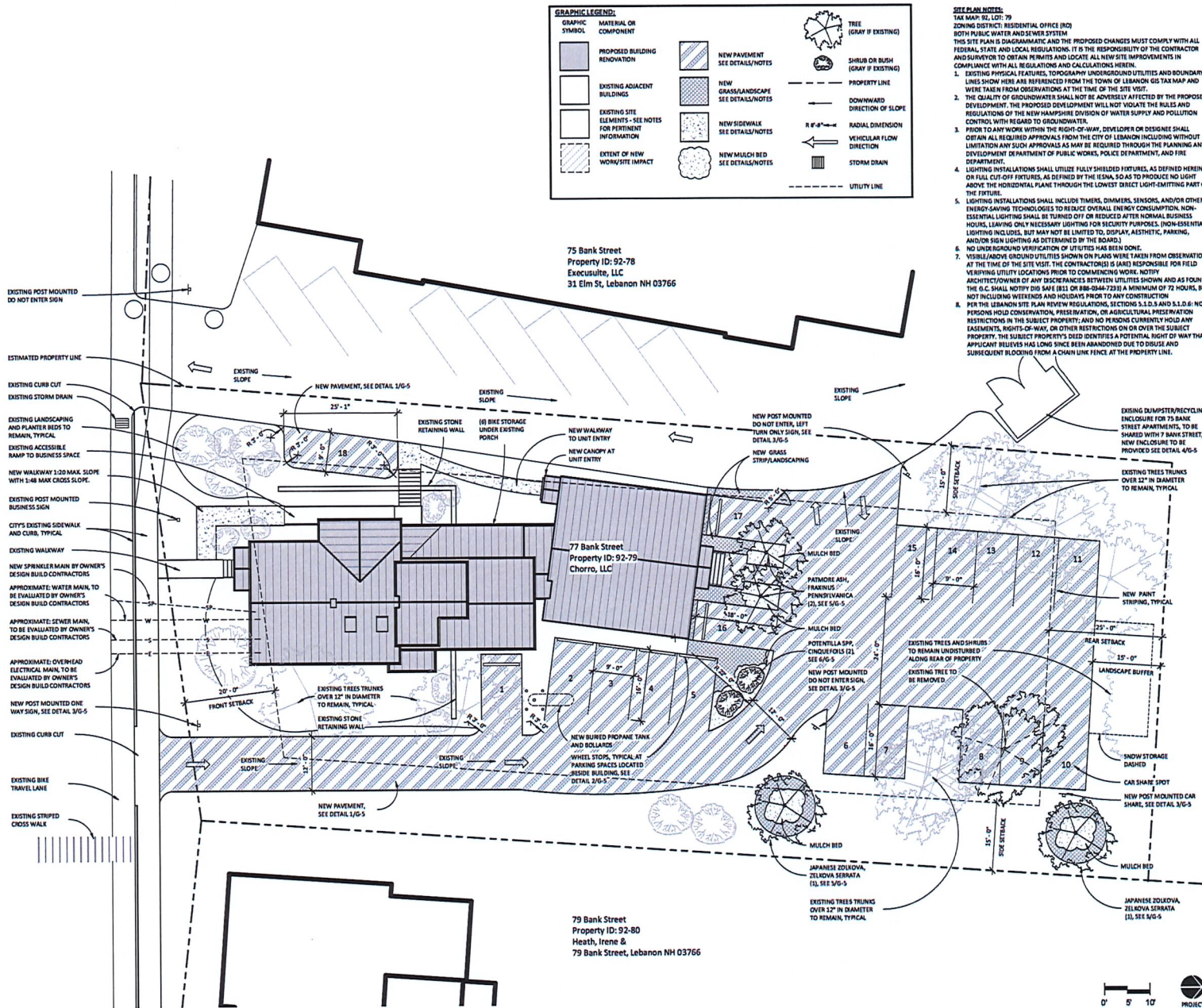
**EXISTING ARCHITECTURAL SITE PLAN**

Project No.: 2114

**G-1**  
2 OF 7

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Bank Street



**Chorro LLC**  
**77 Bank Street Apartments**

Issue For: **SITE PLAN REVIEW**



Issue Date: **December 13, 2021**

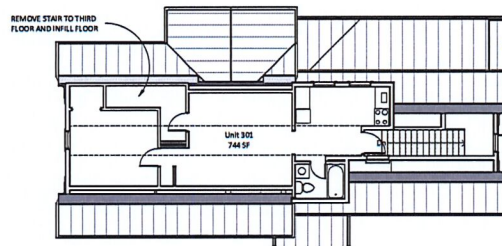
| Revisions |             |      |
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**ARCHITECTURAL SITE PLAN**

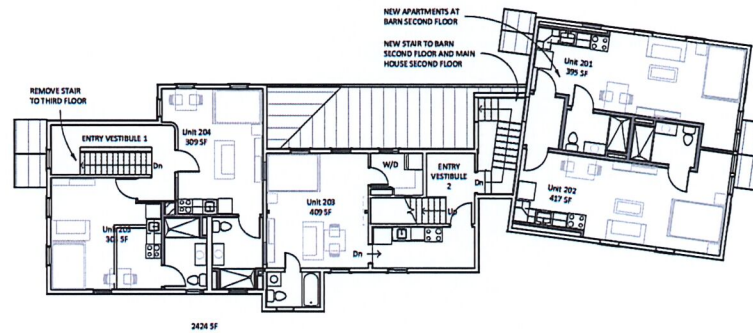
Project No.: **2114**

**G-2**  
3 OF 7

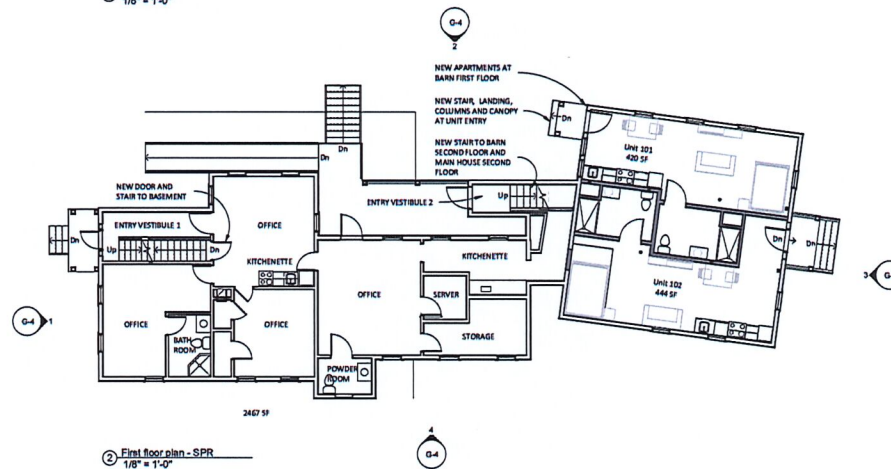
COPYRIGHT 2021 STUDIO NEXUS ARCHITECTS + PLANNERS, LLC



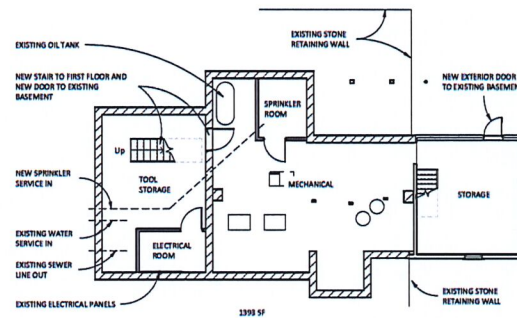
④ Third floor plan - SPR  
1/8" = 1'-0"



③ Second floor plan - SPR  
1/8" = 1'-0"



② First floor plan - SPR  
1/8" = 1'-0"



① Basement plan - SPR  
1/8" = 1'-0"



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NEXUS**

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PO Box 275, White River Junction, VT 05001  
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**Chorro LLC**

**77 Bank Street  
Apartments**

Issued For:  
SITE PLAN REVIEW



ANY REVISIONS ELECTRONIC OR PRINTED SHALL BE SIGNATURED & DATED BY THE ARCHITECT.

TO THE BEST OF THE ARCHITECT'S KNOWLEDGE, THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

TO VERIFY THE VALIDITY OF ANY SIGNATURE OF THE SEAL OR ANY INFORMATION, CONTACT THE ARCHITECT.

Issue Date: December 13, 2021

| Revisions |             |      |
|-----------|-------------|------|
| No.       | Description | Date |
|           |             |      |
|           |             |      |
|           |             |      |

**FLOOR PLANS**

Project No.: 2114

**G-3**  
4 OF 7



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12/10/2021 3:54:29 PM



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**Chorro LLC**

**77 Bank Street  
Apartments**

Issued For: **SITE PLAN REVIEW**



ANY REVISIONS ELECTRONIC OR PRINTED SHALL BE SIGNATURE AND EFFECTIVE ONLY AS  
TO THE REVISIONS OF THE ORIGINAL DESIGN. ANY REVISIONS NOT SIGNATURED OR  
EFFECTIVE ONLY AS TO THE REVISIONS OF THE ORIGINAL DESIGN. ANY REVISIONS  
NOT SIGNATURED OR EFFECTIVE ONLY AS TO THE REVISIONS OF THE ORIGINAL  
DESIGN. ANY REVISIONS NOT SIGNATURED OR EFFECTIVE ONLY AS TO THE  
REVISIONS OF THE ORIGINAL DESIGN. ANY REVISIONS NOT SIGNATURED OR  
EFFECTIVE ONLY AS TO THE REVISIONS OF THE ORIGINAL DESIGN.

Issue Date: **December 13, 2021**

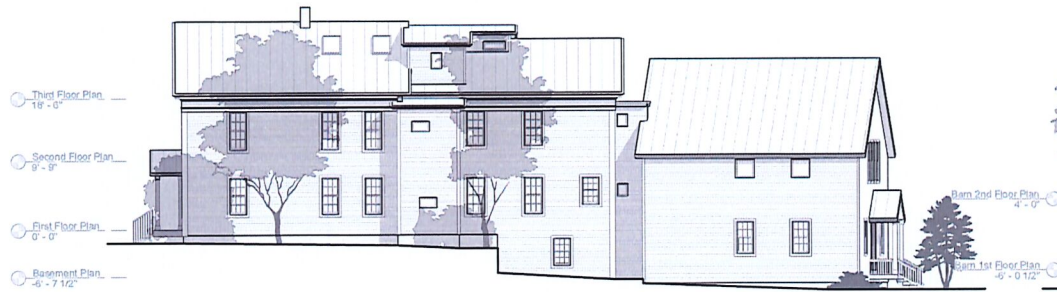
| Revisions |             |      |
|-----------|-------------|------|
| No.       | Description | Date |
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## ELEVATIONS

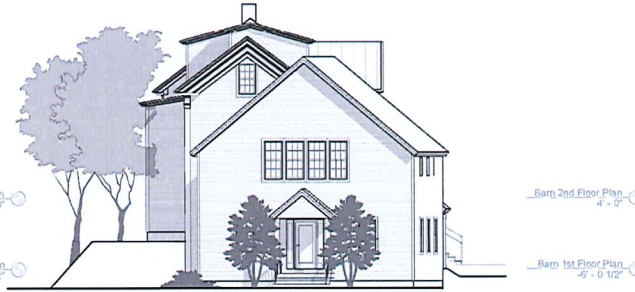
Project No.: **2114**

**G-4**  
5 OF 7

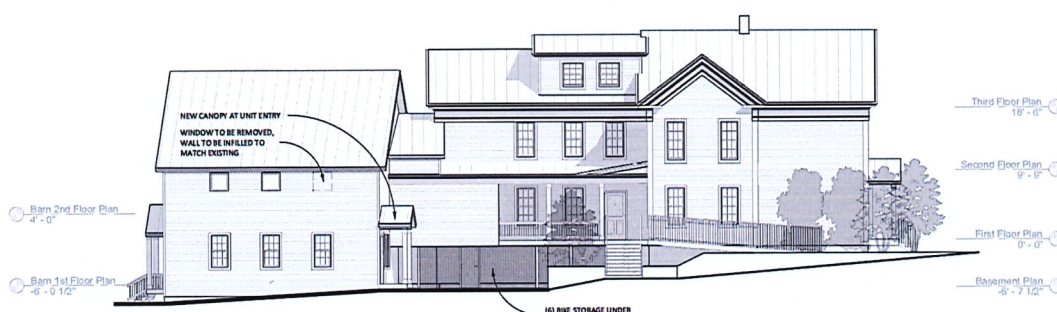
COPYRIGHT 2021, STUDIO NEXUS ARCHITECTS + PLANNERS, LLC



**4 East elevation - SPR**  
1/8" = 1'-0"



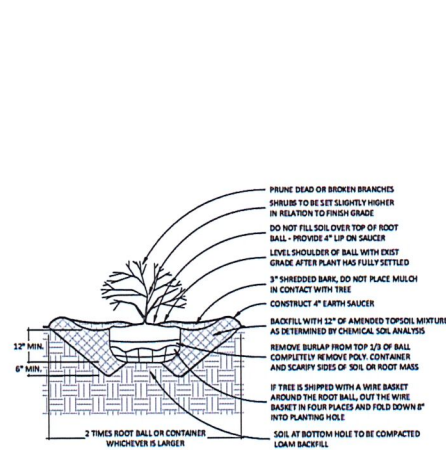
**3 North elevation - SPR**  
1/8" = 1'-0"



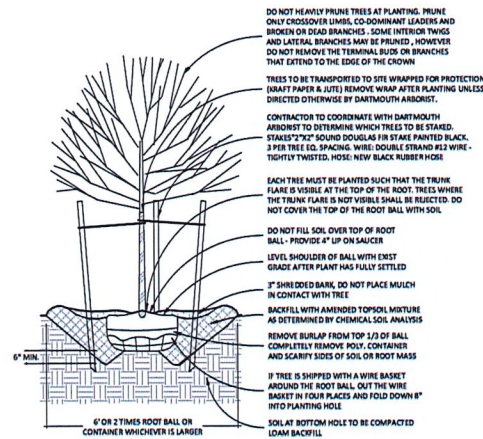
**2 West elevation - SPR**  
1/8" = 1'-0"



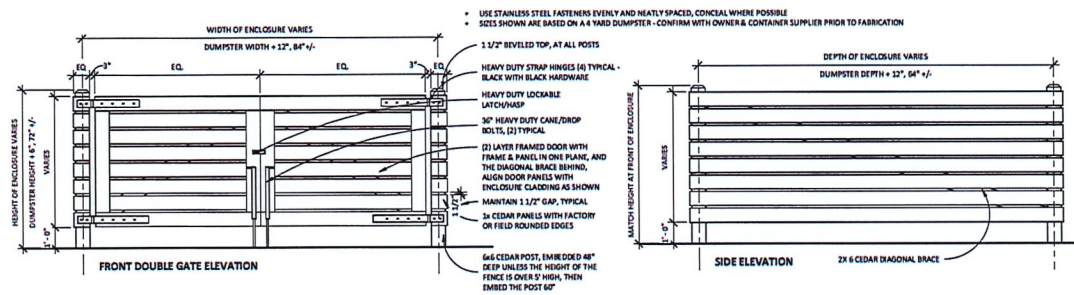
**1 South elevation - SPR**  
1/8" = 1'-0"



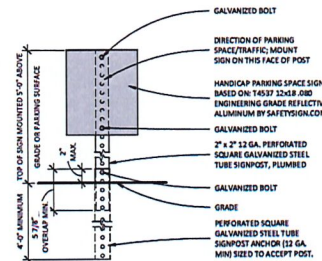
8 DECIDUOUS SHRUB PLANTING DETAIL  
1/2" = 1'-0"



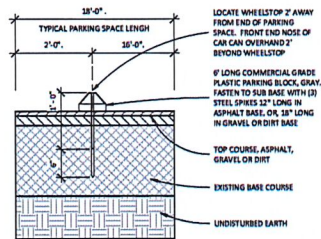
5 DECIDUOUS TREE PLANTING DETAIL  
1/2" = 1'-0"



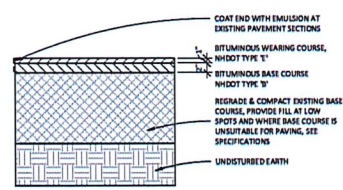
4 DUMPSTER ENCLOSURE  
3/8\"/>



3 POST-MOUNTED ACCESSIBLE PARKING SIGN DETAIL  
1 1/2" = 1'-0"



2 WHEELSTOP DETAIL  
1\"/>



NOTES:  
1. REMOVE EXISTING BASE AND SUB BASE MATERIAL THAT DOES NOT MEET THE SPECIFICATION IN THE DETAIL. COMPACT ALL FILL MATERIAL TO 90% PROCTOR.  
2. FOR AREAS TO BE PATCHED, CAREFULLY SAW CUT THE EXISTING PAVEMENT AND NEATLY REMOVE.

1 PAVEMENT DETAIL  
1\"/>

GENERAL SITE AND LANDSCAPE DETAIL NOTES

- UNLESS NOTED OTHERWISE, GROUND COVER SHALL CONSIST OF TOPSOIL, GRASS SEED AND MULCH. MAINTAIN WATERING THROUGH SECOND CUTTING (USING WALK-BEHIND MOWERS). ALL NEW PLANT MATERIAL SHALL BE NURSERY-GROWN STOCK.
- 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. TREES SHALL BE PLANTED NO CLOSER THAN 8 FEET TO ANY PROPERTY LINE.
- SHRUBS SHALL BE PLANTED AS A NIP, HANGING 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.
- THE PROPERTY OWNER AGREES TO 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 TO REPLACE UNHEALTHY OR DEAD PLANT MATERIALS IN CONFORMANCE WITH THE LANDSCAPE PLAN APPROVED BY THE BOARD AS PART OF THE SITE PLAN.
- EROSION CONTROL:  
1. GRADED AREAS SHALL BE VEGETATED TO INSURE EROSION CONTROL BY SEEDING, MULCHING, AND FERTILIZING. DISTURBED AREAS SHALL BE PLANTED WITH SUITABLE PLANT MATERIALS.  
2. GRADING SHALL NOT EXCEED A RATIO OF 3 HORIZONTAL TO 1 VERTICAL WITHOUT SPECIAL EROSION CONTROL MEASURES, NETTING OR SIMILAR MATERIAL SHALL BE PROVIDED ON SLOPES WITH A RATIO GREATER THAN 3:1 WHILE GROUND COVER IS BEING ESTABLISHED.



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**SITE AND  
LANDSCAPE  
DETAILS**

Project No.: **2114**

**G-5**  
6 OF 7

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**SITE PHOTOS**

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**G-6**  
7 OF 7

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