FINAL

LEBANON PLANNING BOARD
Regular Session
Monday, February 14, 2022, 6:30 PM
City Council Chambers, City Hall
or Remote Via Microsoft Teams
LebanonNH.gov/Live

MEMBERS PRESENT: Bruce Garland (Chair), Matthew Hall (Vice-Chair), Karen Zook (City Council Rep)-Remote, Gregorio Amaro-Remote, Kim Chewning, Tom Martz, Kathie Romano, Jeremy Rutter, Laurel Stavis, Thomas Jasinski (Alternate)

MEMBERS ABSENT: Cori Hirai

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

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1. Call to Order

Chair Garland called the meeting to order at 6:31 PM.

2. Notice of Regional Impact

The following applications were received by the Planning and Development Department on or before February 14, 2022:

Novo Nordisk, 9 Technology Drive (Tax Map 145, Lot 3), zoned IND-L & IND-H: Request for Site Plan Review to construct three (3) expansions to the current building footprint totaling approximately 13,000 square feet. PB2022-12-SPR

NE School of the Arts (applicant), HSD, LLC (property owner) 9 Hanover Street (Tax Map 91, Lot 243), zoned LD: Applicant requests a Conditional Use Permit to convert a portion of the existing building to a school pursuant to Section 307.4 of the Zoning Ordinance. PB2022-13-CUP

A MOTION by Laurel Stavis that the above applications do not have the potential for regional impact. The motion was seconded by Jeremy Rutter.
Roll Call Vote:

Voting in Favor – Mr. Amaro, Mr. Rutter, Ms. Romano, Ms. Chewning, Ms. Stavis, Mr. Hall, Ms. Zook, Mr. Garland, Mr. Martz
Voting Against - None

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

Chair Garland discussed the impressive number of hearings scheduled for the evening. He asked the Board members to consider a special meeting, if necessary, on Wednesday, February 23, 2022. The Board was surveyed, and there would be a quorum.

A MOTION by Kim Chewning for a Special Planning Board Meeting on February 23, 2022, at 6:30 PM.
The motion was seconded by Mr. Rutter.

Roll Call Vote:
Voting in Favor – Ms. Romano, Ms. Chewning, Ms. Stavis, Mr. Hall, Mr. Martz, Mr. Garland, Mr. Amaro, Mr. Rutter, Ms. Zook
Voting Against - None
****The MOTION was approved (9-0).***

The Edwards Properties and Unifirst representatives agreed to move their hearings to February 28, 2022, at 6:30 PM.

A Motion by Matthew Hall to continue Item 3.F, Edwards Properties, LLC, 9 Pershing Street (Tax Map 78, Lot 48), zoned IND-L, to February 28, 2022, at 6:30PM.
The motion was seconded by Kathie Romano.
Roll Call Vote:
Voting in Favor – Mr. Hall, Mr. Garland, Mr. Amaro, Mr. Rutter, Ms. Zook, Ms. Romano, Ms. Chewning, Ms. Stavis, Mr. Martz
Voting Against – None
****The MOTION was approved (9-0).***

A MOTION by Matthew Hall to continue Item 3.H, Unifirst Corporation, 125 Etna Road (Tax Map 26, Lot 6), zoned IND-L, to February 28, 2022, at 6:30PM.
The Motion was seconded by Jeremy Rutter.
Roll Call Vote:
Voting in Favor – Mr. Garland, Mr. Martz, Mr. Amaro, Mr. Rutter, Ms. Zook, Ms. Romano, Ms. Stavis, Ms. Chewning, Mr. Hall
Voting Against – None
****The MOTION was approved (9-0).***

A MOTION by Matthew Hall to continue Item 3.J, Edwards Properties, LLC, 9 Pershing Street (Tax Map 78, Lot 48), zoned IND-L, to February 28, 2022, at 6:30PM.
The motion was seconded by Kathie Romano.
Roll Call Vote:
Voting in Favor – Ms. Stavis, Mr. Hall, Mr. Martz, Mr. Garland, Mr. Amaro, Mr. Rutter, Ms. Zook, Ms. Romano, Ms. Chewning
Voting Against – None
****The MOTION was approved (9-0).***

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 - Continued from January 10, 2022

Ken Braverman of the Braverman Company, Developer Dick Anagnost, with Kevin Worden and Nik Fiore of Engineering Ventures, appeared on behalf of the application.

Mr. Fiore described the changes to the plan since the last meeting. A site visit was attended by most members, and some new calculations were requested. Benches, picnic tables, a play yard, and other items were added to the plan. Some technical corrections were made. New signage would be added for the crossings. Dr. Rick Van de Poll recommended a row of coniferous trees along the wildlife corridor. A Phasing plan was submitted with a minor change to the order, making the new order Phase 1, 3, 4, and 2. Staff requested an exhibit on the conservation area to be set aside.

Mr. Corwin went over the new conditions of approval added since the last meeting and shared the comments from the Fire Department.

Mr. Hall inquired about the need for changes to the phasing plan. Mr. Anagnost explained that the changes were due to current supply issues. They are following the new order so the units can be completed and rented. Mr. Hall asked if the dates of completion were still valid, Mr. Anagnost stated that only the most dire circumstances would prevent completing by the specified date. Mr. Worden added that it is the best guess at this time. Mr. Hall inquired of Staff regarding a possible increase in Advance Transit cost to the City with the number of projects on Mt. Support Road. Mr. Brooks stated that the routes are already in place; it would possibly require additional stops, but that is not a concern. Ms. Zook noted that ridership has not been an issue in the past.

Chair Garland noted that questions from Conservation Commission members were asked of Mr. Fiore after the Site Visit had ended. Mr. Fiore described the discussion and responses regarding the water table and drainage to the wetlands, the stormwater management system, and the height of the driveway. The impact on traffic and ability to meet the completion dates were discussed. Mr. Brooks noted that Article 8 of the Site Plan Regulations allows the Board to require security for site plan improvements, and the Planning Board has authority to require completion or site restoration if the project is not completed. Mr. Anagnost noted that they are binding the project up front as required by NH Housing Finance Authority.

Several other issues were discussed. The gap in the wildlife corridor is needed to accommodate the sewer line and would not impact the integrity of the corridor. The sight line from the southerly exit was studied and deemed adequate. Dr. Van de Poll recommended certain species of vegetation for the wildlife corridor, which would be set away from the wall. Mr. Anagnost confirmed that conduit would be installed for future electric vehicle charging stations if they become necessary.

Chair Garland invited public comment.

Sarah Riley, a member of the Conservation Commission, noted the need for public transit on the weekends. She recommended seeking input from the Conservation Commission regarding the impact on wetlands and suggested that live links to sections of the meeting packet would enable citizens to locate information more easily in the lengthy PDF's. Mr. Brooks noted that Dr. Van de Poll was contacted by Mark Goodwin, who prepared a visual graphic depicting all protected areas among the four major projects on Mt. Support Road. Dr. Van de Poll noted that the plan adequately provides and secures the wildlife corridor across Mt. Support Road.
Mr. Fiore stated that they are also creating a dog park.

Sherry Boschert, a LEAC member, inquired about the electric vehicle charging stations. Mr. Anagnost reiterated his comment about installing conduit for later installation as demand increases.

A MOTION by Matthew Hall that for the application of Mount Support Development, LLC (applicant) and Sylvia D. Lahaye Revocable Trust & Pat Lumber Jack, Inc. (property owners), PB2021-33-SPR, the Lebanon Planning Board APPROVE partial waivers from the following sections of the Site Plan Review Regulations:

- Section 6.2.D – Requiring landscaping around buildings.
- 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 plan, if included towards fulfilling the landscaping requirements."
- Section 6.5.C.2 – "At least one primary entrance to the building shall face the public way on which the lot has frontage."
- Section 6.5.C.3 – "Pedestrian entrances shall be provided at least every 60 linear feet along the ground floor of the primary façade."
- Section 6.2.L – Requiring landscape areas to be protected by curbing, wheel stops, or fencing.
- Section 6.2.B.1 – Perimeter landscaping requirements.

The motion was seconded by Laurel Stavis.
Roll Call Vote:
Voting in Favor – Ms. Zook, Ms. Romano, Ms. Chewning, Ms. Stavis, Mr. Hall, Mr. Martz., Mr. Garland, Mr. Amaro, Mr. Rutter
Voting Against - None
****The MOTION was approved (9-0).***

Mr. Hall questioned the validity of Condition 18. Mr. Brooks stated that the Board can encourage travel to and from the north but can't prohibit travel on a public roadway. Mr. Anagnost stated that his company normally meets with site contractors and informs them of required conditions. Mr. Hall recommended removing condition #18 if it is not enforceable.
Regarding draft condition #20, the Board determined that the evergreen landscape plantings should provide a visual buffer "within five (5) years".
Mr. Jasinski asked what happens if the plantings haven't grown in as required? Mr. Brooks noted that staff will have to go out to confirm whether the condition is satisfied.

Chair Garland asked for any final public comment. Hearing none, the public hearing was closed.

A MOTION by Matthew Hall that the Lebanon Planning Board **APPROVE** the application of Mount Support Development, LLC (applicant) and Sylvia D. Lahaye Revocable Trust & Pat Lumber Jack, Inc. (property owners) 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 at 402 & 392 Mount Support Road (Tax Map 24, Lots 9 & 10), zoned R-1, PB2021-33-SPR, as shown on a plan set titled "402 Mr. Support Road – Residential Development Site Plan Review" prepared by Engineering Ventures, PC, dated November 8, 2021, last revised January 24, 2022, EV Project #19324 (34 Sheets), including any and all submissions and testimony provided for and during the public hearing, subject to the following conditions:

<u>Conditions to be Satisfied Prior to Application for a Building Permit</u>

1. The applicant shall address the comments in the letter dated February 2, 2022, from Steve Keach, PE, of Keach-Nordstrom Associates, Inc., to the satisfaction of the City Engineer.

2. Prior to the start of any construction activities on the property for which inspection is required pursuant to this decision or any applicable ordinance or code, the applicant shall make the following revisions to the plan set to the satisfaction of the Planning and Development Department and the City Engineer:
   a) Any changes made pursuant to Condition of Approval #1.
   b) Incorporate all other revised plan sheets and changes submitted during the course of the hearing and update all other plan sheets as necessary to reflect the changes.

   The applicant shall provide the Planning and Development Department with one (1) full size copy of the revised plan set, and a digital copy of the revised plan set saved in a PDF-A format for archival purposes.
3. The applicant shall schedule and hold a pre-building permit application meeting with the Planning and Development Department, City Building Inspectors, City Engineer/Department of Public Works, and Fire Department, in order to help streamline the building permit review process and to review applicable code requirements.

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

5. All engineering review fees shall be paid in full as required by Section 4.7.E.1 of the Site Plan Review Regulations.

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

6. A water flow test shall be completed on Mount Support Road to be witnessed and approved by the Lebanon Fire Department.

7. The development shall be subject to City of Lebanon Impact Fees, pursuant to Section 213 of the Zoning Ordinance. The Impact Fee shall be calculated at the time of Building Permit issuance based on the Impact Fee Schedule adopted on October 12, 2021. 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.

8. Prior to the start of any construction activities on the property for which construction inspection is required pursuant to this decision or any applicable ordinance or code, the City shall retain the services of an independent third-party inspector, for which the applicant shall be responsible for all inspection fees related to (a) on-site work related to sewer, water, temporary sedimentation and erosion control, and drainage improvements, and (b) all off-site work within the City's right-of-way (including but not limited to water, sewer, roadway, sidewalks, crosswalks, bus stops/shelters, driveways, drainage), in accordance with Chapters 136 and 182 of the City Code and Section 8.2 of the Site Plan Review Regulations. The applicant shall provide funding for inspection services in a form and amount acceptable to the City and shall sign a Water & Sewer Extension and Infrastructure Inspection Agreement in accordance with Chapters 136 and 182 of the City Code.

9. Prior to the start of any construction activities on the property for which inspection is required pursuant to this decision or any applicable ordinance or code, the applicant shall obtain or update (if appropriate) any required State approvals including, but not limited to, the following:
    a. NHDES Wetland Impact Permit, if necessary

    b. Alteration of Terrain Permit, if necessary

    c. NHDES Sewer Connection Permit, if necessary

10. In coordination with Advance Transit, the Planning and Development Department, and the Department of Public Works, the applicant shall prepare a final design of the proposed bus stop improvements depicted on the approved plan set.

11. All water and sewer fees shall be paid as set forth in City Code Chapter 68.

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

12. The applicant shall dedicate the completed water mains and hydrants within the complex, excluding service connections beyond the curb shut-off valves, to the City for ownership and maintenance, subject to appropriate easements. Said conveyance and easements shall be approved by the City Attorney and the Department of Public Works and recorded in the Grafton County Registry of Deeds prior to the issuance of a final Certificate of Occupancy for the project and prior to the acceptance of the utility improvements.

13. The applicant shall prepare and record an open space covenant or deed restriction for the 7.9-acre area (the undeveloped areas of Tax Map 24, Lots 9 and 10) as depicted on the plat titled Conservation Area Exhibit, prepared by Engineering Ventures, PC, submitted at the February 14, 2022 public hearing. The open space covenant or restriction shall be in a form and content acceptable to the Planning and Development Department and the City Attorney.

14. Third-party engineer or design engineer inspection reports and as-built drawings provided by the applicant (PDF format and CAD .dwg format, using the NH State Plane Coordinate System), including tie sheets, shall be reviewed and approved by the City Engineer prior to acceptance of any utility improvements by the City.

15. The impact fee calculated pursuant to Condition of Approval #7 shall be paid.

16. All improvements both on-site and off-site shall be completed and shall be constructed as depicted on the approved plan, including any modifications to the plan as may be approved by the Planning Board in accordance with the Site Plan Review Regulations.

General Conditions

17. Pursuant to Section 4.9 of the Site Plan Review Regulation, the project may be constructed in phases per the phasing plan, attached hereto as Exhibit A, subject to the following:
    a) With respect to the Phase 1 site improvements, the applicant shall be required to (a) achieve Active and Substantial Development or Building, as defined in Section 8.4.A of the Site Plan Review Regulations, by August 31, 2023; and (b) achieve Substantial Completion, as defined in Section 8.4.B, by August 31, 2024.

b) With respect to the remaining site improvements, the applicant shall be required to achieve Substantial Completion by August 31, 2025.

18. All construction traffic shall travel to and from NH Route 120 through the Lahaye Drive/Mt. Support Road intersection. Construction traffic is prohibited from traveling on Mount Support Road at any point south of the subject property.

19. Edge-of-disturbance fencing shall be installed and maintained before and during any site work, to be verified by the City Engineer or City's third-party inspector on site.

20. All required landscape plantings shall meet the minimum size requirements for such plantings set forth in Section 6.2.B of the Site Plan Review Regulations at the time of installation. The evergreen landscape plantings proposed south of the southerly driveway on Sheet C2.8 shall be installed and planted in such a manner as to effectively screen the proposed improvements from the southerly driveway northward from the wildlife corridor documented in the report titled "Lebanon's Wildlife Corridors" prepared by Dr. Rick Van de Poll, Ph.D., dated November 2016. Regardless of the number of plants depicted on Sheet C2.8, the applicant shall be required to install as many plantings as necessary to achieve a visual buffer within five (5) years from the time of installation to the satisfaction of the Planning & Development Department.

21. The applicant shall obtain an Excavation Permit from the Department of Public Works for any site work in the public right-of-way prior to any work in the right-of-way, and construction or installation of any new driveway(s) shall also require a Driveway Permit from the Department of Public Works.

22. The property owner is responsible for the maintenance and operation of the stormwater management system in accordance with the O&M plan, and such responsibility shall run with the land. (Section 6.6.H.2.b of the Site Plan Review Regulations).

The motion was seconded by Jeremy Rutter.

Roll Call Vote:
Voting in Favor – Mr. Garland, Mr. Amaro, Mr. Rutter, Ms. Zook, Ms. Romano, Ms. Chewning, Ms. Stavis, Mr. Hall, Mr. Martz
Voting Against – None
****The MOTION was approved (9-0).***

B. **Trustees of Dartmouth College, 56 Etna Road (Tax Map 50, Lot 28), zoned IND-L**: Request for Site Plan Review to construct a +/-19,672 sq. ft. library storage building and related site improvements. PB2022-03-SPR - Continued from January 10, 2022

Matthew Hall and Gregorio Amaro recused themselves from this hearing.

Tom Jasinski was appointed to vote on this application.

Mr. Corwin stated that Staff finds the application complete enough for the Planning Board to accept jurisdiction and commence review.

A MOTION by Jeremy Rutter that the Lebanon Planning Board finds the Site Plan Review application of the Trustees of Dartmouth College for 56 Etna Road (Tax Map 50, Lot 28) (PB2022-03-SPR) IS complete enough to accept jurisdiction and commence review.

The motion was seconded by Tom Martz.
Roll Call Vote:
Voting in Favor – Mr. Jasinski, Mr. Garland, Mr. Rutter, Ms. Zook, Ms. Romano, Ms. Chewning, Ms. Stavis, Mr. Martz
****The MOTION was approved (8-0).***

Jason Rouillard, Dartmouth College; Joanne Coppinger, RFS Engineering; James Steedle, Architect, of Russell Scott Steedle & Capone; and Paul Simon, Landscape Architect, of Studio Nexus were present on behalf of the application.

Mr. Rouillard described the nature of the facility for storage of excess library materials and records management with offices and a loading dock.

Ms. Coppinger reviewed the utilities and stormwater management for the roof and older parking area using a closed drainage system. The secondary driveway would be connected to Labombard Road. Fuel management was described.

Mr. Steedle noted that the building design accommodates a lower area for offices and a taller area for storage.

Mr. Simon stated that they are dealing with an existing parking lot, and the landscape plan is addressing previous damage to the wetland area by adding new vegetation, seating features, and landscaping.

Mr. Corwin noted that the sidewalk requirement along Etna Road will contribute toward the overall pedestrian improvements in the project vicinity and also recommended an easement for a future sidewalk along Labombard Road, as needed. The two waivers being requested were explained along with the Fire Department comments regarding fire alarm conduit and landscape accommodations.

The Board members inquired about a number of items. Mr. Martz noted the good protection of the wetlands and the improved landscaping. Chair Garland inquired if the number of parking spaces would remain the same. Ms. Coppinger stated it would be a smaller paved surface with the same number of vehicles. Ms. Romano asked about the time required for newly added soil to settle. Mr. Rouillard stated that measurements are taken, and once the soil stops compressing, it is ready for construction. Mr. Vincent agreed this is a common practice. When asked about bicycle parking requirements, Mr. Rouillard noted that only four people would be working in the facility. Currently the college is renting storage space, and this building would eliminate the rental. It is also being designed for future use. Mr. Brooks noted that the Zoning Board of Appeals, the State DES, and the Conservation Commission all weighed in on the site issues. Mr. Rouillard added that they balanced all restrictions to place the building on the lot while keeping some of the existing parking. The facility would be sharing access with the building next door, a dialysis unit, which has a need for ambulance access. There would be one bike rack with two spaces.

Chair Garland invited public comment.

Sarah Riley expressed concern about a sidewalk, which could impact the wetland. She inquired about the driveway being redirected to Labombard Road, the impact of the flow of water on the wetlands, and whether there was a way to prevent the wetlands impacts from the sidewalk from coming up after the Planning Board process. Mr. Brooks noted the two frontages on the corner lot and that staff was comfortable recommending one sidewalk contribution due to the very little traffic from four employees.

He noted there was no way to ensure the sidewalk was designed into the project prior to Planning Board review since the applicant can always request a waiver. Mr. Vincent reviewed the property and confirmed the pedestrian crossings. The Ped/Bike Committee reviewed the project and confirmed the Etna Road frontage as the priority for pedestrian improvements. Ms. Coppinger noted the lack of connectivity to Labombard and the stub of driveway, adding that they installed a culvert to eliminate ponding along the driveway.

Ms. Romano inquired if there was a way to add color to back of the building. Mr. Rouillard stated that it would be screened with large trees. Mr. Simon confirmed the use of columnar trees on the back of the building to break up the height and scale of the building along with foundation shrubs. The colored panels on the front of the building would stand out from the building walls and are textured. Mr. Martz commented that it would be nicer looking than other buildings on Etna Road. Ms. Zook noted that there is an Arts and Culture Commission that could be a possibility for feedback on the design.

A MOTION by Tom Martz to extend the meeting to 10:00PM.
The motion was seconded by Kathie Romano.

Roll Call Vote:
Voting in Favor – Mr. Garland, Mr. Rutter, Ms. Zook, Ms. Romano, Ms. Chewning, Ms. Stavis, Mr. Martz, Mr. Jasinski
Voting Against – None
****The MOTION was approved (8-0).***

A MOTION by Laurel Stavis that for the application of Trustees of Dartmouth College, PB2022-03-SPR, the Lebanon Planning Board APPROVE partial waivers from the following sections of the Site Plan Review Regulations:

- **Section 6.5.I.3.a – Requiring short-term bicycle parking.**
- **Section 6.5.E.7 – Prohibiting parking within the front yard.**

The motion was seconded by Tom Martz.
Roll Call Vote:
Voting in Favor – Ms. Chewning, Ms. Stavis, Mr. Martz, Mr. Jasinski, Mr. Garland, Mr. Rutter, Ms. Zook, Ms. Romano
Voting Against - None
****The MOTION was approved (8-0).***

Mr. Jasinski inquired about the need for wetlands approvals. Mr. Brooks corrected his earlier statement that the ZBA had approved wetlands impacts when the project actually fell below the threshold for ZBA review. He confirmed that NHDES approvals are required prior to the issuance of a building permit. Ms. Coppinger stated that all NHDES wetlands approvals were obtained in 2019.

Chair Garland invited public comment. There were no comments, and the Public Hearing was closed.

A MOTION by Kathie Romano that the Lebanon Planning Board **APPROVE** the application of Trustees of Dartmouth College for Site Plan Review to construct a +/-19,672 sq. ft. library storage building and related site improvements at 56 Etna Road (Tax Map 50, Lot 28), zoned IND-L, PB2022-03-SPR, as shown on a plan set titled "Dartmouth College Library Depository & Records Management Facility," dated December 8, 2021, revised January 12, 2022, prepared by Russel Scott Steedle & Capone Architects Inc.,

including any and all submissions and testimony provided for and during the public hearing, subject to the following conditions:

Conditions to be Satisfied Prior to Application for a Building Permit

1. The applicant shall obtain approval from the City Council or the City Manager's office for any additional water and/or sewer flows in accordance with the applicable Chapter 136 and 182 of the City Code.
2. All engineering review fees shall be paid in full as required by Section 4.7.E.1 of the Subdivision Regulations.

3. Prior to the start of any construction activities on the property, the applicant shall provide two (2) revised plan sets depicting the following revisions to the satisfaction of the Planning & Development Department, as follows:
    b) Identify date and nature of plan revisions.
    c) Remove architectural renderings and update the table of contents and sheet numbering accordingly.

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

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

4. The City shall retain the services of an independent third-party inspector, for which the applicant shall be responsible for all inspection fees related to the construction of sewer and water both on-site and work within the City's right-of-way (water, sewer, road, drainage), in accordance with Chapters 136 and 182 of the City Code and Section 8.2 of the Site Plan Review Regulations. The applicant shall provide funding for inspection services in a form and amount acceptable to the City. Prior to the start of any construction activities on the property for which construction inspection is required pursuant to this decision or any applicable ordinance or code, the applicant shall sign a Water & Sewer Extension and Infrastructure Inspection Agreement in accordance with Chapters 136 and 182 of the City Code.

5. The development shall be subject to City of Lebanon Impact Fees, pursuant to Section 213 of the Zoning Ordinance. The Impact Fee shall be calculated at the time of Building Permit issuance based on the Impact Fee Schedule adopted on October 12, 2021. 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.

6. All water and sewer fees shall be paid.

7. All water and sewer fees shall be paid as set forth in City Code Chapter 68.

8. Prior to the start of any construction activities on the property, the applicant shall obtain or update (if appropriate) any required State approvals.

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

9. The impact fee calculated pursuant to Condition of Approval #5 shall be paid.

10. Third-party engineer or design engineer inspection reports and as-built drawings provided by the applicants (PDF format and CAD .dwg format, using the NH State Plane Coordinate System), including tie sheets, shall be reviewed and approved by the City Engineer prior to acceptance of any utility improvements by the City.

11. All improvements depicted on the plan shall be completed and shall be constructed as depicted on the approved plan, including any modifications to the plan as may be approved by the Planning Board in accordance with the Site Plan Review Regulations.

12. As recommended by the Lebanon Fire Department, a 2" conduit for the municipal fire alarm system shall be provided and shall terminate at the fire department entrance to the building and the applicant shall ensure that no shrubs or bushes are planted that will obstruct the fire department connection.

13. In lieu of installing sidewalks along the property's frontages as required by Section 6.5.D.5 of the Site Plan Review Regulations, the applicant shall:

    a) Contribute funds to an amount to be determined by the City to be equal to the construction cost of the sidewalk no longer than the frontage of the applicant's property along Etna Road. Said monies shall be pooled with other funds from properties within the corridor to pay for the development of a coordinated plan for or construction of pedestrian facilities along Etna Road; and

    b) Grant an easement to the City of Lebanon along the property's Labombard Road frontage of a sufficient width to allow future construction of a sidewalk by the City or other party. The applicant shall prepare the easement deed, subject to review and approval by the Department of Public Works and the City's legal counsel.

General Conditions

14. The applicant shall implement and maintain NHDES Site Specific Best Management Practices before, during, and after construction.

The motion was seconded by Laurel Stavis.
Roll Call Vote:
Voting in Favor – Rutter, Zook, Romano, Chewning, Stavis, Martz, Jasinski, Garland
Voting Against – None
****The MOTION was approved (8-0).***

Matthew Hall and Gregorio Amaro returned to the Board

C. Noah Lynd & Josh Garrison (applicants) and Chaloux, LLC (property owner), 25 & 33 Labombard Road (Tax Map 64, Lot 25 & Tax Map 51, Lot 15), zoned IND-L: Request for approval of a Boundary Line Adjustment between lands located at 25 & 0 Labombard Road. PB2022-04-BLA
Continued from January 10, 2022

Mr. Corwin stated that Staff recommends the application is complete enough for the Planning Board to accept jurisdiction and commence review.

A MOTION by Jeremy Rutter that the Lebanon Planning Board finds the application of Chaloux, LLC IS complete enough to accept jurisdiction and commence review.
The motion was seconded by Laurel Stavis.
Voting in Favor – Mr. Hall, Mr. Martz, Mr. Garland, Mr. Amaro, Mr. Rutter, Ms. Romano, Ms. Zook, Ms. Chewning, Ms. Stavis
****The MOTION was approved (9-0).***

A MOTION by Kathie Romano to continue the application to February 23, 2022, at 6:30PM.
The motion was seconded by Tom Martz.
Roll Call Vote:
Voting in Favor – Mr. Amaro, Mr. Rutter, Ms. Zook, Ms. Romano, Ms. Chewning, Ms. Stavis, Mr. Martz, Mr. Garland
Voting Against – Mr. Hall
****The MOTION was approved (8-1).***

C. **Noah Lynd & Josh Garrison (applicants) and Chaloux, LLC (property owner), 25 & 0 Labombard Road (Tax Map 64, Lot 25 & Tax 51, Lot 15), zoned IND-L**: Request for Site Plan Review to construct a +/-12,250 sq. ft. building for a health club to include a climbing gym, yoga studio and accessory retail space, together with site improvements consisting of a new parking lot, sidewalks, patio, sewer and water utility connections, and stormwater improvements. PB2022-05-SPR
Continued from January 10, 2022

Mr. Corwin stated that Staff recommends the application is complete enough for the Planning Board to accept jurisdiction and commence review.

A MOTION by Jeremy Rutter that the Lebanon Planning Board find the Site Plan Review application of Noah Lynd & Josh Garrison (applicants) and Chaloux, LLC (property owner) for 25 & 33 Labombard Road (Tax Map 64, Lot 25 & Tax Map 51, Lot 15) (PB2022-05-SPR) **IS** complete enough to accept jurisdiction and commence review.

The motion was seconded by Laurel Stavis.
Roll Call Vote:
Voting in Favor – Ms. Stavis, Mr. Hall, Mr. Martz, Mr. Garland, Mr. Amaro, Mr. Rutter, Ms. Zook, Ms. Chewning, Ms. Romano
****The MOTION was approved (9-0).***

A MOTION by Jeremy Rutter to continue the application of Noah Lynd & Josh Garrison (applicants) and Chaloux, LLC (property owner), 25 & 0 Labombard Road (Tax Map 64, Lot 25 & Tax 51, Lot 15), zoned IND-L to February 23, 2022, at 6:30PM.
The motion was seconded by Kathie Romano.
Roll Call Vote:
Voting in Favor – Mr. Amaro, Mr. Rutter, Ms. Zook, Ms. Romano, Ms. Chewning, Ms. Stavis, Mr. Martz, Mr. Garland
Voting Against – Mr. Hall
****The MOTION was approved (8-1).***

D. **Robert & John Oakes, 92 Riverside Drive (Tax Map 111, Lot 16), zoned RL-1**: Request for Site Plan Review to construct a +/-26,176 sq. ft. commercial self-storage unit facility together with related site improvements. PB2022-06-SPR
Continued from January 10, 2022

Kim Chewning recused herself from this hearing.

Mr. Corwin stated that Staff has concerns with the completeness of this application.

Dan Nash of Advanced Geomatics appeared in support of the application.

Mr. Nash stated his belief that the application is complete. He described the contours of the site and the rationale for completeness. The landscaping is naturally occurring, and additional landscaping is not required.

Mr. Corwin stated that there are no waiver requests.

A MOTION by Matthew Hall to continue the meeting until 10:15PM.
The motion was seconded by Kathie Romano.
Roll Call Vote:
Voting in Favor – Mr. Rutter, Ms. Romano, Ms. Stavis, Mr. Hall, Mr. Martz, Mr. Garland, Mr. Amaro, Ms. Zook
****The MOTION was approved (8-0).***

A MOTION by Matthew Hall that the application IS complete enough for the Planning Board to accept jurisdiction and commence review.
The motion was seconded by Laurel Stavis
Roll Call Vote:
Voting in Favor – Mr. Garland, Mr. Amaro, Ms. Zook, Mr. Hall, Ms. Stavis, Mr. Martz
Voting Against –Mr. Rutter, Ms. Romano
****The MOTION was approved (6-2).***

***A MOTION by Matthew Hall to continue the application of Robert & John Oakes, 92 Riverside Drive (Tax Map 111, Lot 16), zoned RL-1* to February 23, 2022 at 6:30 PM.**
The motion was seconded by Laurel Stavis.
Roll Call Vote:
Voting in Favor – Mr. Hall, Mr. Martz, Mr. Garland, Mr. Amaro, Ms. Zook, Ms. Romano, Ms. Stavis
Voting Against – Mr. Rutter
****The MOTION was approved (7-1).***

F. **Edwards Properties, LLC, 9 Pershing Street (Tax Map 78, Lot 48), zoned IND-L**: Request for a Conditional Use Permit to convert a previously approved contractor's yard to a car wash. PB2022-02-CUP - Continued from January 10, 2022
Continued to February 28, 2022.

G. **EJB Holdings, LLC (applicant) and Valley Publishing Corp (property owner), 24 Interchange Drive (Tax Map 129, Lot 8), zoned GC:** Applicant requests a Conditional Use Permit to convert a portion of the existing building to a warehouse use. PB2022-07-CUP

A MOTION by Laurel Stavis to continue the application of EJB Holdings, LLC (applicant) and Valley Publishing Corp (property owner), 24 Interchange Drive (Tax Map 129, Lot 8), zoned GC to February 23, 2022, at 6:30 PM.
The motion was seconded by Kathie Romano.
Voting in Favor – Ms. Chewning, Ms. Stavis, Mr. Martz, Mr. Garland, Mr. Amaro, Mr. Rutter, Ms. Zook, Ms. Romano
Voting Against – Mr. Hall
****The MOTION was approved (8-1).***

H. **Unifirst Corporation, 125 Etna Road (Tax Map 26, Lot 6), zoned IND-L:** Site Plan approval for the existing industrial laundry facility was granted on March 3, 1987. Applicant requests removal of the Planning Board's condition of approval requiring bi-annual groundwater monitoring. PB2022-08-SPA
Continued to February 28, 2022.

I. **Lebanon School District SAU #88, 38 Dana Street (Tax Map 73, Lot 41) and 5 White Avenue (Tax Map 73, Lot 93), zoned R-3:** Request for Site Plan Review to construct additions to the Mount Lebanon Elementary School, parking utilities upgrade, landscaping, and lighting. PB2022-09-SPR

Rod Finley of Pathways Consulting and Dana Arey, Director of Facilities, SAU 88, attended in support of the application.

Mr. Finley described the proposed improvements to Mount Lebanon Elementary School.
Mr. Arey provided the rationale for the improvements.

Ms. Romano inquired if funding was available now. Mr. Arey stated that funding is available now.
Mr. Jasinski inquired if the changes satisfy the site plan regulations. Mr. Finley said that not all stormwater management requirements can be met, but they would be improving what is there presently.
Mr. Vincent noted that it is a governmental project and not subject to the Planning Board, but some codes do apply including stormwater. Some provisions are not currently proposed and would require a permit application and would be at the discretion of the Director of Public Works. Ms. Romano noted that the City would be reconstructing White Avenue, and stormwater is usually updated at that time.

Chair Garland invited public comment.

Chair Garland inquired about the schedule. Mr. Arey stated that construction is scheduled for this summer to be ready for the next school year.

J. **Edwards Properties, LLC, 9 Pershing Street (Tax Map 78, Lot 48), zoned IND-L**: Request for Site Plan Review to construct a parking lot for a proposed car wash use. PB2022-10-SPR
Continued to February 28, 2022.

4. Other Business

5. Approval of Minutes

A. January 10, 2022 Regular Meeting Minutes

Page 7, line 29, to read, “Mr. Hall noted the legal division of ownership of the dealership and the car wash.”

B. January 12, 2022 Site Walk Minutes

C. January 24, 2022 Planning Session Minutes

A MOTION by Kathie Romano to approve the Planning Board Minutes of the January 10, 2022, Regular Meeting as amended, and the January 12, 2022, Site Walk and January 24, 2022, Planning Session as presented.
The motion was seconded by Jeremy Rutter.
Roll Call Vote:
Voting in Favor – Mr. Garland, Mr. Amaro, Mr. Rutter, Ms. Zook, Ms. Chewning, Ms. Stavis, Mr. Hall, Mr. Martz
****The MOTION was approved (9-0).***

6. Adjournment

A MOTION by Matthew Hall to adjourn the meeting.
The motion was seconded by Kathie Romano.

Roll Call Vote:
Voting in Favor –Mr. Amaro, Mr. Rutter, Ms. Zook, Ms. Chewning, Ms. Romano, Ms. Stavis, Mr. Hall, Mr. Garland, Mr. Martz
Voting Against - None

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

The meeting was adjourned at 10:11 PM**.**

Respectfully Submitted,

Holly Howes
Recording Secretary