



**LEBANON MINOR SITE PLAN COMMITTEE
MARCH 9, 2023 - 1:30 PM
MEETING ROOM 1, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

-
- 1. Call to Order**
 - 2. Notice of Regional Impact**
 - 3. Public Hearing Items**
 - A. Immersion Montessori School (applicant), Centurion Properties, Inc. (property owner), 434 North Main Street (Tax Map 2, Lot 15), zoned R-3:** Applicant requests minor site plan review for a proposed group day care facility approved by Special Exception on 12/5/22 (ZB2022-32-SE), together with associated site improvements. **PB2023-12-MSP**
 - 4. Other Business**
 - 5. Approval of Minutes**
 - A. February 23, 2023**
 - 6. Adjournment**

The order of agenda items is subject to change.

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

APPLICATION FOR

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

PROPERTY OWNER (APPLICANT):

NAME: Centurion Properties, Inc. TEL.#: 603-448-7714

MAILING ADDRESS: 11 Partridge Road, Etna, NH 03750

E-MAIL ADDRESS: awc@centurionprop.net

CO-APPLICANT, AGENT, OR LESSEE:

NAME: RAMMO T. MUDGE & ASSOCIATES TEL.#: 603-795-4831

MAILING ADDRESS: 85 DCH LANE NEW HAMPSHIRE 03768

E-MAIL ADDRESS: RAMMO@RTMUDGE.COM

PROJECT LOCATION:

TAX MAP #: 2 LOT#: 15 PLOT #: ZONE: R3

STREET ADDRESS OF PROJECT: 434 North Main Street, West Lebanon, NH 03784

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

SCOPE OF PROJECT:

CHANGE OF USE: BUSINESS TO DAY CARE

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: BUSINESS

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

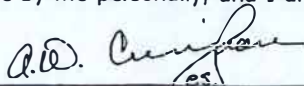
OWNER:

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

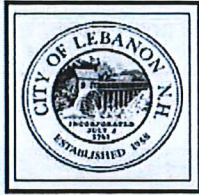
OWNER:



DATE: 2-17-2023

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #			
2/21/2023	2/15	PB2023-12-			

MSP



City of Lebanon, New Hampshire

APPLICATION FOR MINOR SITE PLAN REVIEW

SUPPORT STATEMENT

Office Use Only Date Received: _____ Application No.: _____

I. APPLICATION CHECKLIST [per §3.2.B.7 of the Site Plan Review Regulations]

- An Application, completed in full and signed by the property owner [§3.2.B.7.a]
This Support Statement, completed in full and signed by the applicant [§3.2.B.7.b]
Payment of the appropriate filing fees [§3.2.B.7.c]
A completed Public Hearing Notification List [§3.2.B.7.d]
A digital copy of the site plan set, prepared in accordance with the requirements of §3.2.B.7.e, in .PDF format
Optional: photos and any other materials in support of your application

II. PROJECT DESCRIPTION

Describe your proposed project with as much detail as possible, including but not limited to changes to the use(s), to the exterior of the building, and to the site. You can respond in the space provided below or on a separate sheet of paper.

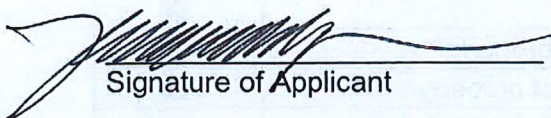
WE PROPOSE ^{to change} THE USE OF THE EXISTING CENTURION BUILDING FROM BUSINESS TO DAY CARE.
A PLAY AREA WILL BE LOCATED NORTH OF EXIST STRUCTURE.
A BARRIER FREE ENTRY WILL BE LOCATED @ UNDER LEVEL SW ENTRY.

III. SITE PLAN TECHNICAL CHECKLIST

The site plan shall:	Info. Provided
<u>3.2.B.7.e</u> - Be scaled	☒
<u>3.2.B.7.e</u> - Be prepared utilizing the current approved site plan as a base map, if available	☒
<u>3.2.B.7.e</u> - Identify all abutters	☒
<u>3.2.B.7.e.i</u> - Indicate the site location	☒
<u>3.2.B.7.e.i</u> - Indicate the address of the subject property	☒
<u>3.2.B.7.e.i</u> - Indicate the zoning classification of the subject property	☒
<u>3.2.B.7.e.ii</u> - Describe the size, shape, and use of the subject property	☒
<u>3.2.B.7.e.ii</u> - Describe relevant information about existing site topography, drainage, hydrologic features, vegetation, and other natural features	☒
<u>3.2.B.7.e.ii</u> - Describe proposed changes to site topography, drainage, hydrologic features, vegetation, and other natural features	☒

The site plan shall:	Info. Provided	Not Applicable
3.2.B.7.e.iii - Show the size, dimensions, location, and height (as applicable) of: - existing structures - proposed structures - expansions to existing structures - landscaping - parking areas - walkways / ramps - driveways - lighting fixtures - stormwater control devices - exterior waste receptacles - exterior equipment - utilities - all other improvements	☒ ☐ ☐ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☐ ☒ ☒ ☒	☐ ☒ ☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☒ ☐ ☐ ☐
3.2.B.7.e.iv (Article VI design compliance) - Identify or show: where/how stormwater will be discharged	☐	X
3.2.B.7.e.v (Zoning Ordinance compliance) - Identify or show: - setbacks (in ft.) of existing buildings and structures - setbacks (in ft.) of proposed buildings and structures - existing use(s) of property - proposed use(s) of property - size of each existing and proposed non-residential unit - number of existing and proposed dwelling units - number of existing on-site parking spaces - for each use, the number of required parking spaces per Section 607 of the Zoning Ordinance - total proposed number of on-site parking spaces	☒ ☐ ☒ ☒ ☐ ☐ ☒ ☐ ☒ ☒	☐ ☒ ☐ ☐ ☒ ☒ ☐ ☐ ☐ ☐

I hereby attest that to the best of my knowledge all of the information on this Support Statement and in the accompanying Minor Site Plan application materials and documentation is true and accurate.


Signature of Applicant

2/20/23
Date



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

NOTICE OF DECISION LEBANON ZONING BOARD OF ADJUSTMENT ZB2022-32-SE

*The Lebanon Zoning Board of Adjustment, at a regular meeting held on **December 5, 2022**, approved the following motion made by Dan Nash, seconded by Dave Newlove, by a vote of 5-0:*

“On December 5, 2022, at a duly noticed meeting of the Lebanon Zoning Board of Adjustment, there appeared Juan Garceran on behalf of Immersion Montessori School (applicant) and Gary Neil, Centurion Properties, Inc. (property owner), regarding 434 North Main Street (Tax Map 2, Lot 15), zoned R-3. Applicant requests a Special Exception per Section 310.2 and Section 604 of the Zoning Ordinance for a proposed a group day care facility use. ZB2022-32-SE

I. FINDINGS OF FACT

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

1. The subject property is a +/-0.74 acre lot located on the east side of NH Route 10, directly south of the City of Lebanon/Town of Hanover municipal boundary. The property is improved with a paved parking lot and a two-story, 6,808 sq. ft. legal non-conforming office building constructed in 1960 (office is not a permitted use in the R-3 zoning district).
2. The applicant requests a Special Exception per Section 310.2 and Section 604 of the Zoning Ordinance to convert the use of the building to a group day care facility use. A “group day care facility” is allowed by Special Exception within the R-3 District.
3. In order to grant a Special Exception for a group day care facility, the applicant must demonstrate compliance with the criteria set forth in Section 604 of the Zoning Ordinance and with the general Special Exception criteria set forth in Section 801.3.
4. No one from the Public spoke for or against the application.

II. CONCLUSIONS OF LAW

As a result of the above findings of fact and based on testimony given, application materials presented, and supporting documents submitted, the Board concludes the following with respect to the Special Exception criteria set forth in §801.3 of the Zoning Ordinance:

1. The Special Exception is specifically authorized by §310.2 of the Zoning Ordinance. (§801.3.A)
2. The following conditions/requirements of §604 **are** met: (§801.3.B)
 - a. There shall be a fenced outside play area which shall be free from hazards such as hidden corners; unprotected pools, wells, and steps; poisonous plants such as poison ivy, foxglove, and rhubarb; farm or lawn machinery or implements. (§604.1.A)
 - b. (The play area) shall contain at least 50 square feet of usable play space per child using it, and the average width shall not be less than eight feet. Play areas shall not be permitted in front yards. (§604.1.B)

NOTICE OF DECISION

434 North Main Street (2-15)

ZB2022-32-SE

December 5, 2022

Page 2 of 2

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- c. By special exception, the Board of Adjustment may waive the requirement for a fence or the requirement that the play area not be in the front yard. (§604.1.C)
 - d. A suitable loading and unloading area shall be provided for those children for whom the facility provides transportation. This area shall be in addition to required parking areas. (§604.2.A)
 - e. Group day care facilities shall comply with all applicable state and federal regulations. (§604.2.B)
 - f. One (1) parking space for each employee and one (1) parking space for every eight (8) clients shall be provided on site. (§604.2.C)
3. There **are no** existing violations of the Zoning Ordinance on the property that the granting of the Special Exception would not remedy. (§801.3.C) *Staff is not aware of any Zoning Ordinance violations on the property.*
 4. The character of the area **will not** be adversely affected. (§801.3.D)
 5. **No** hazard or nuisance will be created. (§801.3.E)
 6. The capacity of existing or planned community facilities and services (including streets and highways) **will not** be adversely impacted. (§801.3.F)
 7. The granting of the Special Exception **will not** result in undue municipal expense. (§801.3.G)
 8. The proposed Special Exception **will** be developed in a manner compatible with the spirit and intent of the ordinance. (§801.3.H)
 9. The general welfare of the City **will** be protected. (§801.3.I)

III. **DECISION**

Now therefore be it resolved, the Lebanon Zoning Board of Adjustment, on this 5th day of December 2022, hereby **GRANTS** the requested Special Exception per Section 310.2 and 604 of the Zoning Ordinance, as set forth above and per testimony, plans, and materials submitted, and per the following conditions:

1. The applicant shall obtain a building permit.
1. The outdoor play area shall be located no closer to the front lot line than the front of the building."

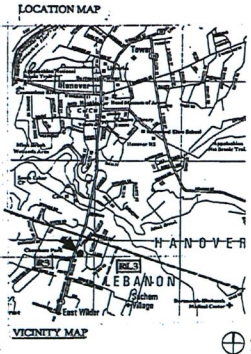
Notice of Decision prepared by: Crystal Taplin, Administrative Assistant, December 15, 2022

NOTE: (NH RSA 677:2) Within 30 days after any order or decision of the zoning board of adjustment, or any decision of the local legislative body or a board of appeals in regard to its zoning, the selectmen, any party to the action or proceedings, or any person directly affected thereby may apply for a rehearing in respect to any matter determined in the action or proceeding, or covered or included in the order, specifying in the motion for rehearing the ground therefor; and the board of adjustment, a board of appeals, or the local legislative body, may grant such rehearing if in its opinion good reason therefor is stated in the motion. This 30-day time period shall be counted in calendar days beginning with the date following the date upon which the board voted to approve or disapprove the application in accordance with RSA 21:35; provided however, that if the moving party shows that the minutes of the meeting at which such vote was taken, including the written decision, were not filed within 5 business days after the vote pursuant to RSA 676:3, II, the person applying for the rehearing shall have the right to amend the motion for rehearing, including the grounds therefor, within 30 days after the date on which the written decision was actually filed.

DAY CARE FACILITY

IMMERSION MONTESSORI SCHOOL, LLC

West Lebanon, New Hampshire



ZONING INFORMATION

IMMERSION MONTESSORI SCHOOL
EXISTING BUILDING-CHANGE OF USE

ZONING DISTRICT	RESIDENTIAL THREE (R-3)
EXISTING USE	BUSINESS
PROPOSED USE	GROUP DAY CARE FACILITY

TAX MAP 2 LOT 15

LOT AREA 6.76 ACRES (13,000 SF)

EXISTING BUILDING:

FLOOR	2
BUILDING HEIGHT	22'-4"
BUILDING FOOTPRINT	3,340 SF
BUILDING GROSS AREA	6,680 SF

LOT COVERAGE (25% PERMITTED) 16.3%

PARKING (27 REQUIRED):

84 EXISTING - 11	36 SPACES
16 STAFF/16	

IMPERVIOUS SURFACES 45.0% OF LOT

PERIMETER LANDSCAPING 33% OF LOT

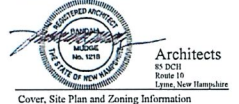
LIST OF DRAWINGS

C Cover, Site Plan and Zoning Information
E1 Drafting Elevations

Immersion Montessori School
Day Care Facility

434 North Main Street, West Lebanon, NH

Randall T Mudge & Associates

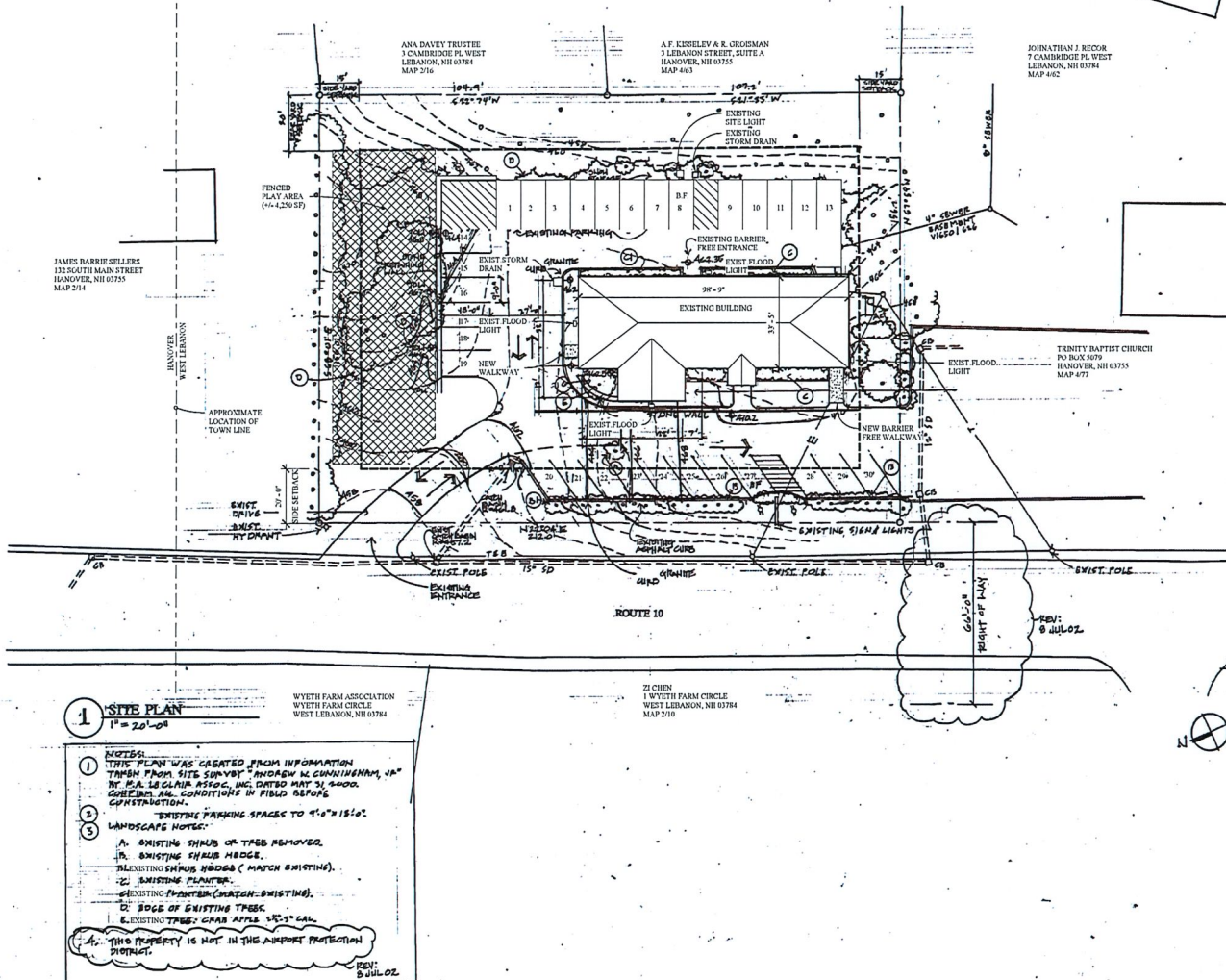


Cover, Site Plan and Zoning Information

2303
Job No
20 FEB 2023
Date

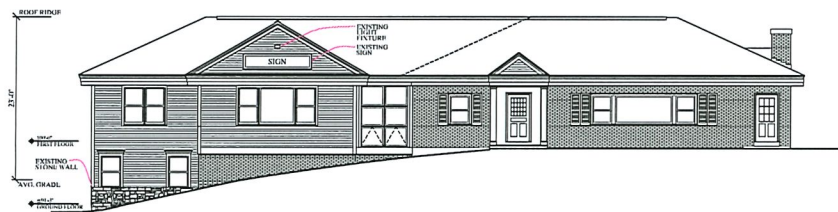
As indicated
Scale
Revised

C

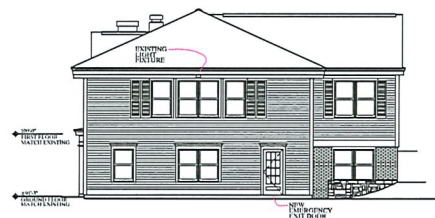


NOTES:

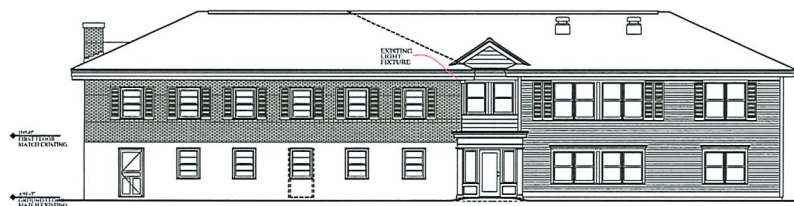
1. EXISTING SITE AND AREA LIGHTING TO REMAIN AS IS.



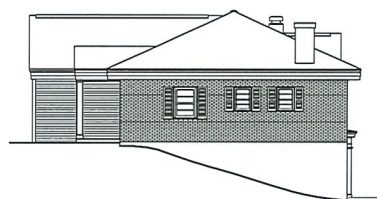
1 WEST ELEVATION (FRONT)



2 NORTH ELEVATION



3 EAST ELEVATION



4 SOUTH ELEVATION

Immersion Montessori School
Day Care Facility

634 North Main Street, West Lebanon, NH

Randall T Mudge & Associates



Architects

65 DCM
Route 10
Lyme, New Hampshire

BUILDING ELEVATIONS

23/3
Job No.
20 FEB 20/23
Date

1/8" = 1'-0"
Scale

E1

DRAFT

**LEBANON MINOR SITE PLAN COMMITTEE
THURSDAY, FEBRUARY 23, 2023, 1:30PM
ROOM 3, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

MEMBERS PRESENT: Tim Corwin (Senior Planner), Captain Tim Cohen (Police Department), Duane Egner (Fire Inspector), Brian Vincent (City Engineer-Remote)

MEMBERS ABSENT: Rebecca Owens (Planning Associate)

1. Call to Order

Mr. Corwin called the meeting to order at 1:37 PM.

2. Notice of Regional Impact

Woodrow Fitness, LLC, 33 Morgan Drive (Tax Map 10, Lot 11, Plot 700), zoned IND-L: Applicant proposes site improvements related to the conversion of the existing pool area into four (4) classrooms, lap pools and a smaller pool. PB2023-11-MSPCorwin stated Staff no potential

Mr. Corwin stated that Staff reviewed the application and determined that there was no potential for regional impact.

A MOTION by Tim Cohen that the above application does not have potential for regional impact. The motion was seconded by Duane Egner.

Roll Call Vote:

Voting in Favor – Mr. Cohen, Mr. Egner, Mr. Vincent, Mr. Corwin

Voting Against – None

**The MOTION was approved (4-0).*

3. Public Hearing Items

A. Woodrow Fitness, LLC, 33 Morgan Drive (Tax Map 10, Lot 11, Plot 700), zoned IND-L: Applicant proposes site improvements related to the conversion of the existing pool area into four (4) classrooms, lap pools and a smaller pool. PB2023-11-MSP

Mr. Corwin stated that Staff recommends the application in complete enough for the Minor Site Plan committee to accept jurisdiction and commence review.

A MOTION by Tim Cohen that the above application is complete enough for the Minor Site Plan Committee to accept jurisdiction and commence review.

The motion was seconded by Duane Egner.

Roll Call Vote:

Voting in Favor – Mr. Cohen, Mr. Egner, Mr. Vincent, Mr. Corwin

Voting Against – None

**The MOTION was approved (4-0).*

Elizabeth Asch of Woodrow Fitness, Tim Engleberth of the River Valley Club, Dan Nash of Advanced Geomatics, Project Manager David Weissberger, and Landscaper Lee Barker appeared in support of the application.

Mr. Nash provided an overview of the planned improvements and challenges addressed by the plan. Mr. Vincent inquired about additional impervious material. Mr. Nash stated that they were decreasing an area of pavement and increasing some in the planned renovation with a net effect of no change. Mr. Corwin inquired about a landscaping plan. Ms. Asch stated that new landscaping is planned to make the entrance more inviting. Mr. Corwin asked that it be added to the plan set.

Mr. Corwin invited public comment. There was none. Mr. Corwin closed the Public Hearing.

A MOTION by Tim Corwin that the Lebanon Minor Site Plan Committee **APPROVE** the application of Woodrow Fitness, LLC, 33 Morgan Drive (Tax Map 10, Lot 11, Plot 700), zoned IND-L, PB2023-11-MSP, for Minor Site Plan Review pursuant to Sections 3.1.C and 3.2 of the Lebanon Site Plan Review Regulations to permit certain site improvements related to the conversion of the existing pool area into four (4) classrooms, lap pools and a smaller pool, as shown on a plan set titled “Woodrow Fitness, LLC,” prepared by Advanced Geomatics & Design, dated December 21, 2022 (9 sheets), including any and all submissions and testimony provided for and during the public hearing, with the following conditions:

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

1. The applicant shall make the following revisions to the plan set to the satisfaction of the Planning and Development Department:
 - a. Add landscaping per Section 6.2.D of the Site Plan Review Regulations to the northwesterly side of the building.

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

2. All improvements depicted on the plan set 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 Minor Site Plan Committee in accordance with the Site Plan Review Regulations.

The motion was seconded by Duane Egner.

Roll Call Vote:

Voting in Favor – Mr. Vincent, Mr. Egner, Mr. Cohen, Mr. Corwin

Voting Against – None

The MOTION was approved (4-0).

4. Other Business

5. Approval of Minutes

A. October 27, 2022

A MOTION by Tim Cohen to approve the Minor Site Plan Committee minutes of October 27, 2022, as presented.

The motion was seconded by Duane Egner.

Roll Call Vote:

1 ***Voting in Favor – Mr. Vincent, Mr. Egner, Mr. Cohen, Mr. Corwin***

2 ***Voting Against – None***

3 ***The MOTION was approved (4-0).***

4
5 B. November 3, 2022

6
7 ***A MOTION by Tim Cohen to approve the Minor Site Plan Committee minutes of November 3, 2022, as***
8 ***presented.***

9 ***The motion was seconded by Duane Egner.***

10 ****The MOTION was approved (4-0).***

11
12 **6. Adjournment**

13
14 ***A MOTION by Tim Cohen to adjourn the meeting.***

15 ***The motion was seconded by Duane Egner.***

16 ****The MOTION was approved (4-0).***

17
18 ***Respectfully submitted,***

19
20 ***Holly Howes***

21 ***Recording Secretary***