LEBANON PLANNING BOARD
FEBRUARY 8, 2021 - 6:30 PM
AMENDED 02/04/21
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE

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1. Call to Order

A. Review of meeting procedures and NH RSA 91-A “Right-to-Know” requirements.

2. Notice of Regional Impact

3. Public Hearing Items

A. 89 Donuts, LLC (applicant), Miracle Mile Realty, LLC (property owner), 388 Miracle Mile (Tax Map 103, Lot 6), zoned GC: Request for Site Plan Review to construct a +/-1,332 sq. ft. drive-in restaurant (a Dunkin’ Donuts with a drive-through window and walk-in service) within the existing parking lot, together with associated site improvements. PB2020-32-SPR - Public hearing continued from January 11, 2021.

B. Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3: Pursuant to Section 14.1.B.1.c of the Subdivision Regulations, a request for an extension of time to achieve active and substantial development of Phase II of a project identified as Prospect Hills, a 171 unit Planned Unit Residential Development located off Moulton Drive and Prospect Street, Tax Map 108 Lot 2 (phase 2) and Lot 14 (phase 1). PB2021-02-EXT - Completeness Review and Public Hearing

C. ICV-NH, LLC, 67 Etna Road (Tax Map 26, Lot 2), zoned IND-L: Request for modifications to the required open space for the Industrial PUD approved in 2016 (PB2016-04-SPR), and to the subdivision plat required to be recorded for the 75-unit multi-family condominium conversion approved in 2018 (PB2018-30-FMAJ). PB2021-03-FMAJ-SPA - Completeness Review and Public Hearing

D. Basic Holdings, LLC, 5 & 11 Oak Ridge Road, (Tax Map 4, Lots 5 & 6), zoned R-3: Request for Final Major Subdivision Review, Site Plan Review, and a Conditional Use Permit for a proposed Planned Unit Residential Development (PURD) pursuant to Section 501.2 of the Zoning Ordinance, containing 22 residential units together with related site improvements and amenities. PB2020-31-FMAJ -Public hearing to commence on January 11, 2021 if the Board finds that the application is complete. Completeness review and public hearing expected to be postponed to March 8, 2021.

4. Other Business

A. Novo Nordisk, 5 Technology Drive (Tax Map 130, Lot 1), zoned IND-L: Conceptual review per Section 4.3 of the Site Plan Review Regulations for a proposed demolition of existing shell space and construction of a new 14,000 SF warehouse. PB2021-04-CON

B. XYZ Dairy, LLC. 55 Crafts Avenue & 0 Beyerle Street (Tax Map 58, Lots 20 & 18), zoned R-3: Conceptual review per Section 4.3 of the Site Plan Review Regulations for a proposed major subdivision. PB2021-05-CON

5. Approval of Minutes

A. January 11, 2021

6. Adjournment

The order of agenda items is subject to change.

Due to the current situation with the COVID-19 Pandemic, the City of Lebanon is offering its meetings via Microsoft Teams. Members of the public are encouraged to attend 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 Microsoft Teams software or by phone. Please visit LebanonNH.gov/Live for full details.

THE AGENDA, IN ITS ENTIRETY IS AVAILABLE ON THE CITY'S WEBSITE AT LEBANONNH.GOV

Agenda
Planning Board
February 8, 2021

Agenda Item #3A
Public Hearing Items

89 Donuts, LLC (applicant), Miracle Mile Realty, LLC (property owner), 388 Miracle Mile (Tax Map 103, Lot 6), zoned GC

PB2020-32-SPR

CITY OF LEBANON ~ PLANNING & DEVELOPMENT

PLANNING BOARD

February 8, 2021 Meeting

Staff Memorandum – PB2020-32-SPR – *continued from 1/11/21*

APPLICATION INFORMATION

Agenda Item: 3.A

Application ID#: PB2020-32-SPR

Application Type:
Site Plan Review for construction of a proposed drive-in restaurant

Property Location & Tax Map:
388 Miracle Mile (Tax Map 103, Lot 6)

Applicant:
89 Donuts, LLC

Property Owner:
Miracle Mile Realty, LLC

Property Size (per City Assessor):
+/-11.23 acres

Future Land Use Map:
General Commercial

Zoning District:
General Commercial (GC)

Overlay Districts:
Riverbank Protection District (also located within the 250 ft. protected state shoreland buffer)

Existing Improvements and Use:

- 48,600 sq. ft. (finished) grocery store building constructed in 1985 (*per the City Assessor's records*) (occupied by Price Chopper)
- 27,047 sq. ft. (finished) multi-tenant shopping plaza constructed in 1955 (*per the City Assessor's records*) (occupied by a movie theater and retail tenants)

Proposed Improvements and Use:

- Existing buildings and uses to remain
- Construction of a new +/-1,332 sq. ft. building for a drive-in restaurant

LEGAL NOTICE

89 Donuts, LLC (applicant), Miracle Mile Realty, LLC (property owner), 388 Miracle Mile (Tax Map 103, Lot 6), zoned GC: Request for Site Plan Review to construct a +/-1,332 sq. ft. drive-in restaurant (a Dunkin' Donuts with a drive-through window and walk-in service) within the existing parking lot, together with associated site improvements. **PB2020-32-SPR**

PLANS AND APPLICATION MATERIALS

- Application form
- Letter dated October 13, 2020 from Rodrick Finely, P.E., of Pathways Consulting, LLC (project description; 2 pages)
- Application for Waivers (2 pages)
- Memo re: "Traffic Impact Assessment: Miracle Mile Dunkin'" dated December 29, 2020 from Erica Wygonik, PE, of RSG (17 pages)
- Plan set titled "Site Plan for Miracle Mile Realty 'Dunkin Donuts'" prepared by Pathways Consulting, LLC, dated October 13, 2020, revised January 18, 2021, Proj. No. 12777-01 (15 sheets)

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

- Site Plan Review Regulations Technical Checklist *(provided with the 12/14/20 Planning Board agenda packet)*
- Lighting specifications for 4" Downlight Retrofit by MaxLite, Hawk Endurance Wallpack by WAC Lighting, Infiniline X 120V LED Strip Light by Elemental LED, and wall mount lighting by Hi-Lite Mfg. Co., Inc. *(provided with the 12/14/20 Planning Board agenda packet)*
- Memo re: "Watershed Modeling" dated November 16, 2020 from Daniel Moss, PE, PE, of Pathways Consulting, LLC (drainage report) (14 pages)
- Responses submitted on November 24, 2020 by Rod Finely, PE to Staff Review comments
- Additional stormwater management materials and information including a "Stormwater Management Facilities Operation and Maintenance Manual for 89 Donuts, LLC," dated December 22, 2020, prepared by Pathways Consulting, LLC, Project No. 12277-01 (26 pages), Miracle Mile Plaza 10" Storm Drain data (1 page), and colorized versions of Sheets 2 and 6 of the plan set.

- Attachments to memo re: "Traffic Impact Assessment: Miracle Mile Dunkin'" dated December 29, 2020 from Erica Wygonik, PE, of RSG (40 pages)
- PowerPoint presentation given by applicant at the 1/11/21 Planning Board meeting

COMPLETENESS REVIEW

On December 14, 2020, the Planning Board found that the application is complete enough to accept jurisdiction and to commence review

APPLICATION OVERVIEW

The property is a +/-11.23 acre parcel of land (*per the City Assessor's records*), labeled "A" in Figure 1 below, and is occupied by a shopping center currently consisting of two buildings:

- a 48,600 sq. ft. (finished) grocery store building constructed in 1985 (*per the City Assessor's records*) (occupied by Price Chopper), labeled "1" in Figure 1 below; and
- a 27,047 sq. ft. (finished) multi-tenant shopping plaza constructed in 1955 (*per the City Assessor's records*) (occupied by a movie theater and retail tenants), labeled "2" in Figure 1 below.

From the vantage point of Miracle Mile, the subject property may appear to be part of a single shopping center use anchored to the west by the space currently occupied by Clear Choice MD, and anchored to the east by the space currently occupied by the movie theater and the building currently occupied by Price Chopper. However, as shown in Figure 1 below, the Miracle Mile Plaza is located on a separate parcel (labeled "C" in Figure 1 below), as is the building formerly occupied by Ramunto's restaurant (labeled "B" in Figure 1 below).

Figure 1. Exiting Conditions.

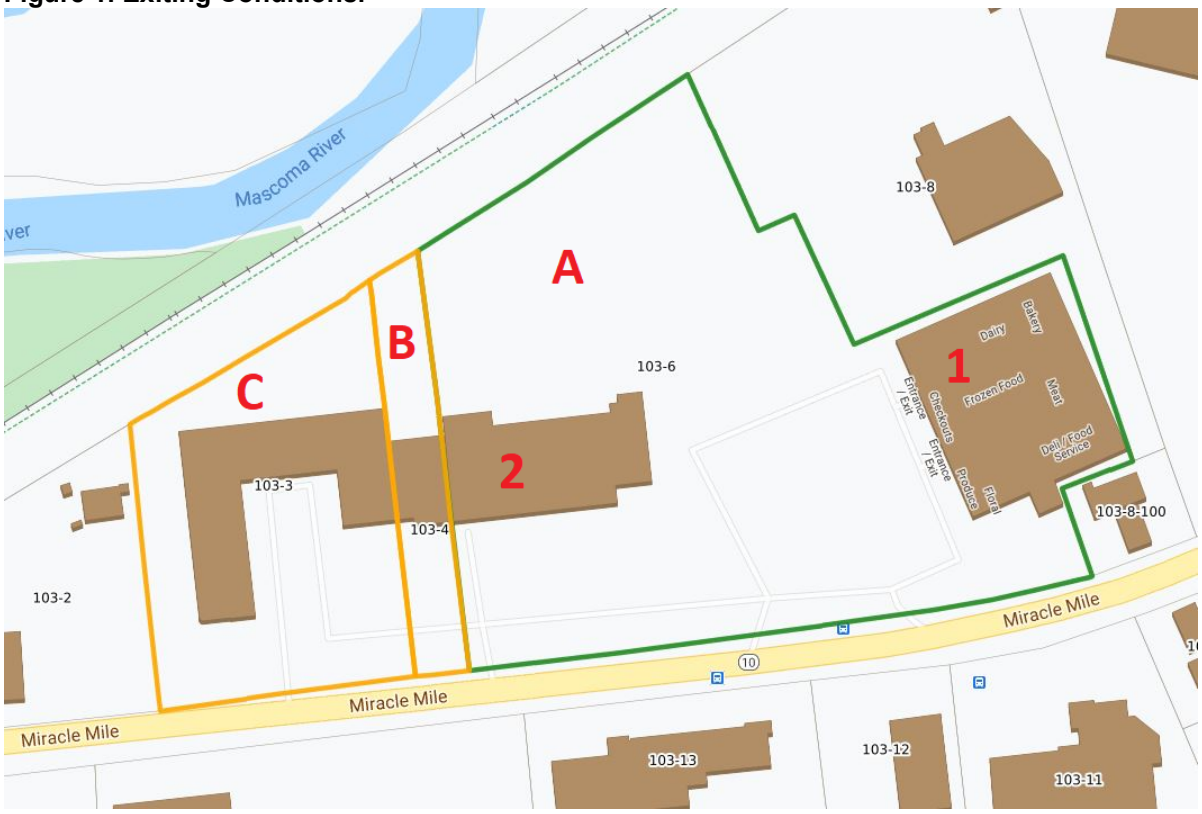


Figure 2. Location Map.

©2018 Eagleview

Figure 3. Bird's Eye View of Subject Property *(looking north)*.

©2018 Eagleview (image taken 4/27/2018)

The applicant proposes to construct a +/-1,332 sq. ft. drive-in restaurant (a Dunkin' Donuts with a drive-through window and walk-in service) within the existing parking lot in the area approximately marked by a yellow star in Figures 2 and 3. The construction of the new building will be accompanied by associated site improvements within the vicinity of the new building including new utilities, stormwater management facilities, landscaping, lighting, walkways, and parking. Additional project details are set forth in the attached October 13, 2020 letter from Rod Finley, P.E. See Sheet 3 of the attached plan set for a view of the proposed site layout.

Note that in order to address some of staff's concerns regarding the layout, the applicant has prepared a revised plan set (see attached) that realigns the drive thru and the access point to the east of the proposed Dunkin Donuts building, and relocates several parking spaces to the eastern end of the lot south of the Price Chopper building.

STAFF COMMENTS

PLANNING

I. SITE PLAN REGULATIONS:

Waiver Requests

Pursuant to Section 7.1 ("Waiver of Regulations"), the applicant has requested waivers from certain provisions of Article VI ("Design and Construction Requirements") of the Site Plan Review Regulations as set forth in the attached Application for Waivers and as listed below:

- **Partial Waiver of Article VI design requirements –** The applicant is only proposing to redevelop a portion of the property. However, the Site Plan Review Regulations apply to the entire lot and not just the portion of the property that the applicant proposes to redevelop. Therefore, the applicant is requesting a general waiver from having to comply with any of the Article VI design requirements outside of the specific area of the lot proposed to be redeveloped.

- **Section 5.1.E.5** – *requiring a current survey certified by a land surveyor licensed in New Hampshire*

- **Section 6.2.D** – *landscaping around buildings requirements*

- **Partial Waiver of Section 6.6** – *stormwater design requirements*

- **Partial Waiver of Section 6.7.2.b** – *requiring maximum illumination of 0.5 foot candles at commercial property boundaries*

- **Section 6.7.3.a** – *lighting uniformity ratio requirements*

Pursuant to Section 7.1 of the Site Plan Review Regulations, the Board may grant a waiver of any part of the Regulations if it finds, by majority vote, that either:

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

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

The applicant's basis for each waiver request is described in the attached Application for Waivers. Note that the granting of a waiver from a design requirement does not relieve an applicant from making the improvements that are depicted on the approved site plan, even if the depicted improvements would have been covered by the waiver had it not been included on the approved site plan.

The applicant has also requested a waiver from Section 5.1.E.4.e(7) which requires the cover sheet to identify the height of existing and proposed buildings. However, the Site Plan Review Regulations note that, "The submission requirements described in paragraphs E.1 through E.4 below shall not be waivable under the procedures set forth in Article VII - "Waiver Procedure" of these Regulations." Therefore, providing the information required by Section5.1.E.4.e(7) has been included with the proposed conditions of approval below.

SECTION 5 –SUBMISSION REQUIREMENTS

5.1 (Drawings and Other Submittals): The applicant has provided the attached materials in accordance with the submission requirements of Section 5.1 of the Site Plan Review Regulations. For a discussion of the project, please see the October 13, 2020 letter from Rod Finley, P.E., and for a discussion of the requested waivers, please see the Application for Waivers.

SECTION 6 – DESIGN AND CONSTRUCTION REQUIREMENTS

6.1 (General Requirements): The proposed development is consistent with the spirit and intent of the GC District regulations and the "General Commercial" designation on the Future Land Use Map. The development will result in the reduction of impervious area from 59.4% of the lot to 57.3%.

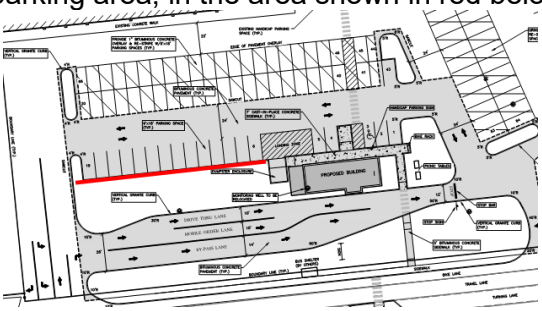
6.2 (Landscaping Standards): The applicant has submitted a landscaping plan in accordance with Section 5.1.E.15 of the Site Plan Review Regulations and the landscaping design standards set forth in Section 6.2. The type, quantity, and location of proposed trees and shrubs are shown on Sheet 7 of the plan set. As noted above, the applicant has submitted a request for a partial waiver of Section 6.2.D (landscaping around buildings requirements). Staff recommends that the Board consider whether another landscaped island in the middle of the double row of parking, planted with a tree, should be added to provide additional shading and green space.

Also, per Section 6.2.B.8, garbage and waste disposal containers must be screened with vegetation at least 5 ft. in height. However, the shrubs proposed for the dumpster (located to on the west side of the proposed building) will have a height of only 36" - 48". The applicant has told staff that the dumpster will be screened by a fence – which is subject to Planning Board approval per Section 6.2.B.9 – but has not indicated so on the site plan nor has a fence detail been provided. Staff recommends that the applicant provide the required vegetative screening of at least 5 ft. in height.

6.3 (Utilities & Fire Protection): The proposed development will be connected to the City's water and sewer systems. The Fire Department has reviewed the plans and has no comment at this time.

6.4 (Fees and Assessments in Effect at time of Connection): The construction of a new commercial building will be subject to the City's Impact Fee Ordinance and fee schedule adopted by the Board on August 13, 2018.

6.5 (Coordination of Roads, Parking, Loading, Recreation, and Safety): A sidewalk is proposed to provide access to and from the Dunkin Donuts and the newly installed Advance Transit bus stop and sidewalk along Miracle Mile. Per the attached revised plans, the applicant has adequately addressed staff's concerns regarding on-site vehicular circulation safety and efficiency. However, to help provide safe pedestrian access to the Dunkin Donuts and through the site to the movie theater and retail uses, staff recommends that the sidewalk proposed to be constructed to the rear of the Dunkin Donuts building is extended westward along the parking area, in the area shown in red below:



As noted in the applicant's traffic study (see Section 1.1 on page 4, and Table 1 on page 5), the Dunkin Donuts is expected to add approximately 52 new ("primary") vehicular trips during the AM peak hour and 26 new vehicular trips during the PM peak hour. The traffic study also notes that the Miracle Mile / East Plaza Drive / Listen East Drive intersection currently meets the 4 hour traffic volume signal warrant, even without the proposed Dunkin Donuts (see Section 4.4, page 13). The traffic study concludes as follows:

> Based on the analysis conducted for this report, the proposed project will not cause or exacerbate any unreasonable congestion or unsafe conditions on Miracle Mile or the local roadway network. We recommend the following features are considered as the project develops to ensure the continued safe and efficient operation of the existing site:
>
> - The proposed development should consider installing conveniently located U-style bicycle racks on a concrete pad for guests arriving on a bicycle.
> - The proposed development should configure the East Plaza Drive entrance and exit lanes to reduce conflict points between entering, exiting, and internally circulating traffic.

Staff believes that the revisions made to the site layout as shown on the attached plan set adequately address both of the traffic study's recommendations. However, staff also recommends that the applicant make a financial contribution to fund the preparation of a Miracle Mile access management and streetscape study (as contemplated by the Master Plan) to identify physical improvements to be constructed as possible capital projects in the future (see proposed condition of approval #5 below).

6.6 (Stormwater Management): The applicant has satisfactorily addressed the comments and concerns of the City Engineer as outlined in the staff memorandum prepared for the December 14, 2020 meeting. Consequently, staff has no objection to the applicant's request for a partial waiver Section 6.6.

6.7 (Lighting): The applicant has submitted a lighting plan as required by Section 5.1.E.12 of the Site Plan Review Regulations (see Sheet 8 of the plan set), together with manufacturer's specification information. As noted above, the applicant requests a waiver from the Section 6.7.3.a parking lot lighting uniformity ratio requirements; however, it is not clear that the applicant has provided sufficient justification per Section 7.1.A or Section 7.1.B for granting such a waiver. Staff recommends that all exterior lighting shall be 3,000K or warmer in CCT.

6.8 (Off-Site Improvements): The applicant is not proposing any off-site improvements at this time.

6.9 (Premature and Scattered Development): This section provides that the Planning Board "may disapprove a site plan application that proposes development that is scattered or premature, so as to involve danger or injury to health, safety, or prosperity of the community. For purposes of this section, a development shall be considered scattered or premature if it will cause, or poses an undue risk of causing, a substantial or appreciable adverse impact upon any of the factors or parameters set forth in the General or Specific Purposes of Site Plan Review, as outlined in Sections 1.4 and 1.5 of these Regulations." Staff does not recommend a finding that the development is scattered and premature as such a finding would appear to be without basis.

II. ZONING ORDINANCE:

Use: The proposed "Dunkin Donuts" is considered a "drive-in restaurant" (as defined in Appendix A of the Zoning Ordinance), which is a permitted use in the GC District.

Parking: Section 607.2.A of the Zoning Ordinance requires a minimum of 483 parking spaces for the shopping plaza (including the proposed Dunkin Donuts), which is reduced to 451 required parking spaces utilizing the Table 607.6 Shared Parking Ratio Reduction Factors. The lot is already non-conforming with respect to the number of required parking spaces, and the construction of the Dunkin Donuts will result in a further net reduction of the number of on-site parking spaces to 378 (73 short of the 451 required). Consequently, the applicant requests that the Planning Board approve a reduction in the number of required parking spaces to be constructed, per Section 607.1 of the Zoning Ordinance which provides as follows:

> The Planning Board, during site plan review of new uses or expansions of use, may allow a reduction of up to 30% in the number of required built parking spaces, provided an area is reserved on the approved site plan to accommodate the minimum number of required off-street parking spaces should they become necessary in the future. The construction of any unbuilt parking spaces shall be reviewed and approved by the Planning Board as a modification of the approved site plan.

To meet the requirements of Section 607.1, the plans show that the required parking spaces could be striped in the future within existing paved areas to the rear of the movie theater and at the northern end of the parking lot between the movie theater and the Price Chopper building.

CITY ASSESSOR
No comment at this time.

BUILDING INSPECTOR
No comment at this time.

ENGINEERING/PUBLIC WORKS
The applicant has satisfactorily addressed the comments and concern of the City Engineer as outlined in the staff memorandum prepared for the December 14, 2020 meeting.

FIRE DEPARTMENT
No comment at this time.

POLICE DEPARTMENT
No comment at this time.

STAFF RECOMMENDATIONS

If the Planning Board moves to approve this request, then based on the information reviewed by City staff, the Planning & Development Department recommends that the Planning Board approve the application with the conditions noted below.

Conditions to be Satisfied Prior to Application for a Building Permit

1. The applicant shall make the following revisions to the plan set to the satisfaction of the Planning & Development Department and the City Engineer:
    a) Amend the cover sheet to identify the height of each existing building [5.1.E.4.e(7)].
    b) The sidewalk to be constructed to the rear of the Dunkin Donuts building shall be extended westward along the parking area to the western access drive.

c) Amend the lighting plan to:
   i. Provide that all exterior lighting shall be 3,000K or warmer in CCT.
   ii. Add Sections 6.7.2.c and 6.7.2.d of the Site Plan Review Regulations as plan notes.

d) Vegetative screening of at least 5 ft. in height shall be provided for the dumpster (Section 6.2.B.8).

The applicant shall provide the Planning & Development Department with two (2) full size copies of the revised plan set, and a digital copy of the revised plan set saved in a PDF-A format for archival purposes.

2. The applicant shall schedule and hold a pre-building permit application meeting with the Planning 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.

3. 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.

4. 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

5. As demonstrated by the applicant's traffic study, the Miracle Mile/East Plaza Drive/Listen East Drive intersection is currently underperforming, and its level of service will further erode with the additional traffic that the proposed use will generate. Consequently, to help mitigate the anticipated increase in traffic generated by the applicant's use, the applicant shall be obligated to contribute its fair share to the cost of preparing a traffic improvement plan for the Miracle Mile corridor. Any financial contributions from the applicant required to prepare the mitigation plan of action shall be paid prior to the issuance of a building permit. Any dispute between the applicant and the City regarding the applicant's responsibilities pursuant to this condition may be appealed to the Planning Board.

6. 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 and for 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, and shall sign a Water & Sewer Extension and Inspection Agreement in accordance with Chapters 136 and 182 of the City Code.

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 August 13, 2018. 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. All water and sewer fees shall be paid as set forth in City Code Chapter 68.

9. Prior to the start of any construction activities on the property, the applicant shall obtain or update (if appropriate) any required State approvals including, but not limited to, the following:
   a) NHDES Sewer Connection Permit, if necessary

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

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

11. 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.

12. 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 Subdivision Regulations and Site Plan Review Regulations.

General Conditions

13. 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.

14. 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.

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

16. The property owner is responsible for the maintenance and operation of the stormwater management system in accord 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).

Attachments

cc: Greg Sargis, 89 Donuts, LLC (via e-mail)
Miracle Mile Realty
Rodrick Finley, P.E., Pathways Consulting, LLC (via e-mail)
File

Q:\Development_Review\2020_Applications\PB2020-32-SPR_388 Miracle Mile_103-006\Staff Comments\2021-02-02_Staff Memo.docx

CITY OF LEBANON
APPLICATION FOR

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

☐ OTHER_____

PROPERTY OWNER (APPLICANT):

NAME: Miracle Mile Realty, LLC TEL.#: (978) 988-3900

MAILING ADDRESS: 23 Concord Street, Wilmington, Massachusetts 01887

E-MAIL ADDRESS:

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Greg Sagris, 89 Donuts, LLC, Sagris Enterprises Management TEL.#: (603) 276-3975

MAILING ADDRESS: 1805 Old Concord Road, Henniker, New Hampshire 03242

E-MAIL ADDRESS: Greg@sagrismanagement.com

PROJECT LOCATION:

TAX MAP #: 103 LOT#: 6 PLOT #: ZONE: General Commercial

STREET ADDRESS OF PROJECT: 388 Miracle Mile

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

FLOOD PLAIN NO

SCOPE OF PROJECT:

The project consists of a Drive-thru Dunkin Donuts and associated infrastructure in a properly zoned setting that will promote sustainable principles.

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: Commerical - Dunkin Donuts

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 November 9, 2020, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: _____ DATE: 10-13-2020

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: 10-13-2020

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - $ AMOUNT	DATE PAID	VOUCHER #
10/13/2020	103-6	PB2020-32-SPR	pa	pa	pa

(Last Revised 4/04/18)

PATHWAYS CONSULTING, LLC
Planning • Civil & Environmental Engineering • Surveying • Construction Assistance
240 Mechanic Street • Suite 100
Lebanon, New Hampshire 03766
(603) 448-2200 • Fax: (603) 448-1221

October 13, 2020

Tim Corwin, Zoning Administrator
City of Lebanon
51 North Park Street
Lebanon, New Hampshire 03766

RE: APPLICATION FOR SITE PLAN REVIEW FOR DUNKIN DONUTS, 388 MIRACLE MILE, LEBANON, NEW HAMPSHIRE (Project No. 12277-01)

Dear Tim:

On behalf of 89 Donuts, LLC (Applicant), please find enclosed application materials for Site Plan Review for the referenced project, in accordance with Section 3.1 of the City of Lebanon (City) Site Plan Review Regulations (Regulations). The application includes this cover letter, a signed application, application for waivers, a fee schedule, a check for $450.65, a certified notification list, technical checklists, eight full size sets of plans, and an electronic version of the plans on a disk. The site is located within the General Commercial (GC) Zoning District.

The project includes the construction of a Dunkin Donuts restaurant within the Miracle Mile Plaza on Map 103, Lot 6 as shown on the enclosed site plans. Additional parking spaces have been identified on the site plans to meet the minimum number of spaces required for the proposed uses based on the Lebanon Zoning Ordinance. The applicant requests Planning Board approval to construct the additional spaces only if needed. The design includes sharp cut-off light fixtures mounted within the landscaped islands to supplement existing lighting fixtures on site.

We request a waiver from the requirements of Section 6.6 – Stormwater Management and the design standards. The project reduces existing impervious cover from 290,800 square feet (sf) to 280,325 sf. Stormwater is collected and treated prior to discharge.

We offer this Support Statement for Site Plan Review for this project on behalf of the Applicant. The following information is provided as required in accordance with Section 5.1 of the Regulations.

1. **Names and Addresses of Contributing Persons and Firms:** All names of parties contributing to the assembly of the Site Plan, supporting data, or submission materials have been included on the Site Plan and the certified notification list.

2. **Conservation Easements on Abutting Parcels:** There are no known conservation or agricultural easements on the property and abutting properties.

3. **Timetable for Construction and Completion of Project:** The Applicant plans to begin construction after receipt of all necessary approvals from the City. The Applicant anticipates completing construction by the summer of 2021.

4. **Request for Waivers:** In accordance with Section 7.1 of the Regulations, we are requesting waivers from several requirements listed on the Plan Submittal Technical Checklist. Included with our submission is the Application for Waivers listing all requested waivers and our support statement for each to assist the Planning Board with determining whether they can support and grant each requested waiver.

We look forward to discussing this project at staff review and presenting this application to the Planning Board. Please do not hesitate to contact us if you have any questions.

Sincerely,

PATHWAYS CONSUTLING, LLC

Rodrick J. Finley, P.E.
Vice President/Director of
Engineering Services

RJF:sef

Enclosures

cc: Greg Sagris w/enclosures

City of Lebanon, New Hampshire
APPLICATION FOR WAIVERS

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

PROJECT INFORMATION

Name of Applicant: 89 Donuts, LLC

Project Name: Dunkin Donuts, 388 Miracle Mile

Project Address: 388 Miracle Mile, Lebanon, New Hampshire 03766

WAIVER REGULATIONS

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

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

OR

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

WAIVER REQUEST(S)

I (we) hereby request a Waiver from:

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

1. General Waiver of the Site Plan Review Regulations. A General Waiver meets Criteria B because the project area is only a small portion of the prevsiously developed property.

2. Section 6.6 of the Site Plan Review Regulations. A Waiver of this Section meets Criteria B because impervious cover will be reduced as the result of construction of the project.

3. Section 6.2.D of the **Site Plan Review Regulations**. A Waiver of this Section meets **Criteria B** because there is a drive-thru lane adjacent to the restaurant.

4. Section 5.1.E.4.e(7) of the **Site Plan Review Regulations**. A Waiver of this Section meets **Criteria B** because existing building heights are not germane to the review of this project.

5. Section 5.1.E.5 of the **Site Plan Review Regulations**. A Waiver of this Section meets **Criteria B** because the proposed project is interior to an existing plaza. A boundary survey has been completed in the past and metes and bounds are identified on the Site Plans.

6. Section 6.7.2.b. of the **Site Plan Review Regulations**. A Waiver of this Section meets **Criteria B** because the proposed project is interior to an existing plaza.

7. Section 6.7.3.a of the **Site Plan Review Regulations**. A Waiver of this Section meets **Criteria B** because the proposed project is interior to an existing plaza.

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

_____

_____

_____

SIGNATURE

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

Signature of Applicant: Date: December 9, 2020

MEMO

TO:	Rodrick J. Finley, P.E., Pathways Consulting, LLC
FROM:	Erica Wygonik, PhD, PE; Corey Mack, PE
DATE:	December 29, 2020
SUBJECT:	Traffic Impact Assessment: Miracle Mile Dunkin'

RSG has completed a traffic impact assessment (TIA) of the existing road network in Lebanon, New Hampshire in the vicinity of a proposed Dunkin' Brands development at 388 Miracle Mile. This memo documents how the proposed site development is expected to integrate into the existing road network.

This TIA includes the following sections:

1. Project Parameters
2. Existing Roadway Conditions
3. Traffic Projections
4. Roadway Capacity and Congestion Analysis
5. Sight Distance Review
6. Crash Record Review
7. Site Plan Review
8. Impact Mitigation Recommendations

This TIA has been prepared in accordance with standard engineering practice and the City of Lebanon's Site Plan Regulations.

Summary:

- The project proposes to construct a 1,150 square foot Dunkin' Brands drive-through only restaurant within the existing shopping center.
- The proposed project is estimated to generate 102 base vehicle trips in the AM peak hour and 50 trips in the PM peak hour.
- RSG evaluated the AM peak hour traffic operations at the East Plaza and West Plaza site driveways onto Miracle Mile for the Build year (2021) and future year (2031) in Build and No Build conditions, per NHDOT guidance.
- In addition to standard seasonal and annual adjustments, the traffic counts conducted in 2020 were adjusted for COVID-related impacts to traffic volumes.
- The Miracle Mile/East Plaza Drive/Listen East Drive intersection meets at least one traffic signal warrant in all scenarios, including the 2021 No Build scenario.

The volumes primarily meet the warrant criteria during the PM hours when the proposed project will not be operating at peak capacity.

- Other planned developments, including the River Park and Iron Horse projects, increase traffic through volumes along Miracle Mile in the 2031 scenarios. The additional traffic associated with these developments increases delay at the project driveways.
- The Lebanon Police Department reported five crashes in five years within the shopping center plaza parking lot; one of these crashes resulted in injury.
- The proposed site includes improvements to pedestrian circulation. The proposed drive through queuing lane is adequate for estimated demand and service rates. The parking lot aisles and bays at the drive through exit lane approach should be well defined to improve internal circulation.
- RSG recommends the proposed development consider implementing the following mitigation measures to ensure continued safe and efficient traveling conditions at the existing site:
    - The proposed development should consider installing conveniently located U-style bicycle racks on a concrete pad for guests arriving on a bicycle.
    - The proposed development should configure the East Plaza Drive entrance and exit lanes to reduce conflict points between entering, exiting, and internally circulating traffic.

Based on the analysis conducted for this report and following implementation of the recommended mitigation measures, the proposed project will not cause or exacerbate any unreasonable congestion or unsafe conditions on the local roadway network and will not unnecessarily or unreasonably endanger the public's investment in any local roads, highways, or related infrastructure.

1.0 PROJECT PARAMETERS

The project is located on the north side of Miracle Mile in Lebanon NH within the existing Price Chopper / Entertainment Cinemas / Miracle Mile Plaza shopping center (MMP) located at 388 Miracle Mile, approximately 1,250 feet west of the Miracle Mile / Poverty Lane intersection. The site currently includes two free-standing shopping center structures:

- Price Chopper grocery store, approximately 50,250 SF
- Entertainment Cinema movie theater, Family Dollar retail, and several smaller restaurant, salon, and urgent care medical services, approximately 67,100 SF.

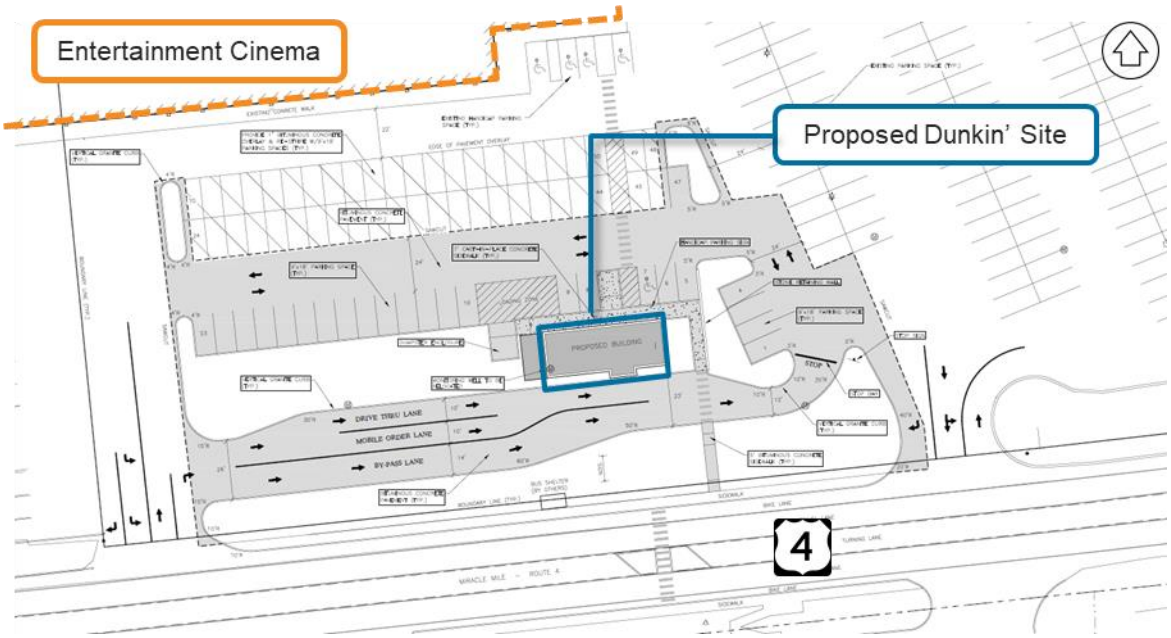
The proposed project consists of:

- Infill development of a third, free-standing building consisting of a drive-through only Dunkin' Brands fast food restaurant, coffee, and donut shop of approximately 1,150 SF.
- A walk-up window but no seating for indoor dining or public restrooms.
- A one-way circulation aisle serving the drive through window, including parallel on-site pull-up ordering, mobile ordering, and bypass lanes.
- Repurposing existing asphalt parking spaces for the proposed structure, associated drive aisles, stormwater management, and landscaping features.
- A net reduction of 72 parking spaces, with the potential replacement of all removed parking through lot expansions as needed.
- Site access from four existing drive locations from Miracle Mile; primary entry and exit access to the Dunkin' is assumed at the two nearest access points.

Figure 1 illustrates the approximate location of the proposed development relative to the existing shopping center and Miracle Mile Plaza. Figure 2 illustrates a more detailed site plan of the proposed development.

FIGURE 1: APPROXIMATE LOCATION OF THE PROPOSED DEVELOPMENT WITHIN THE EXISTING PRICE CHOPPER PLAZA / MIRACLE MILE PLAZA

FIGURE 2: EXCERPT OF PROPOSED DEVELOPMENT SITE PLAN DATED 12/10/2020



1.1 ESTIMATED TRIP GENERATION

RSG consulted the Institute of Transportation Engineer's (ITE) Trip Generation Manual[1] to estimate the base trip generation resulting from the proposed project. There are two relevant and related ITE land use codes (LUCs) potentially applicable to this development: LUC 937 – Coffee/Donut Shop with Drive-Through Window, and LUC 938 – Coffee/Donut Shop with Drive-Through Window and No Indoor Seating.

- **LUC 938 – Coffee/Donut Shop with Drive-Through Window and No Indoor Seating.** The description for LUC 938 indicates the underlying data for the land use is based upon freestanding coffee carts with a gross floor area of 100 SF, primarily from sites observed in Oregon. The data points from LUC 938 are not representative of the proposed development.
- **LUC 937 – Coffee/Donut Shop with Drive-Through Window.** The description of LUC 937 indicates that while "limited indoor seating is generally provided", the description implies that indoor seating is not a necessary feature of the land use. LUC 937 is more representative of the proposed development.

The estimated AM peak hour, PM peak hour, and daily weekday base trip generation associated with the proposed development is documented in Table 1. These base trip generation estimates are consistent with estimated sales volume provided by the developer.

Site generated traffic can be differentiated into primary and pass-by trips. While primary trips represent people who leave their home, place of work, or other origin expressly to

[1] Institute of Transportation Engineers, Trip Generation 10th Edition (Washington, D.C.: Institute of Transportation Engineers, 2017).

visit the site and who would not otherwise have gotten into their vehicle to make a trip, pass-by trips represent vehicles that currently pass by the site on the local road network and who, when the proposed development is present, turn into the site on their way to another destination. Pass-by trips are converted from through movements to turning movements into and out from the site at the development access point, but do not add new trips to intersections beyond the site access. The percentage of trips that are considered pass-by is based on estimates from the ITE Trip Generation Handbook, and only apply to vehicle-based external trips. An average pass-by rate of 49% and 50%[2] were applied to the AM and PM peak hour trip generation rates, respectively. The resulting pass-by and primary trip classification is documented in Table 1.

TABLE 1: ESTIMATED BASE, PASS-BY, AND PRIMARY TRIP GENERATION FOR THE PROPOSED SITE USING LUC 937: TOTAL TRIPS (ENTERING / EXITING TRIPS)

	AM PEAK HOUR	PM PEAK HOUR	DAILY WEEKDAY
Base Trip Generation	102 (52 / 50)	50 (25 / 25)	944 (472 / 472)
Pass-by Rate	49%	50%	49.5%[3]
Pass-by Trips	50 (25 / 25)	24 (12 / 12)	468 (234 / 234)
Primary Trips	52 (27 / 25)	26 (13 / 13)	476 (238 / 238)

1.2 RECOMMENDED GEOGRAPHIC AND SCENARIO SCOPE

Standard NHDOT traffic analysis conventions typically recommend analyzing intersections that would experience 100 or more site-generated trips generated during the two highest peak hours of adjacent street traffic. RSG estimated this site to generate slightly more than this 100-vehicle threshold during the AM peak hour.

Scenario analyses include AM peak hour traffic volumes at the two drives nearest the proposed development, adjusted to represent non-COVID, Build year (2021) and future year (2031) conditions.

2.0 EXISTING ROAD CONDITIONS

Miracle Mile (US Route 4, US-4) is a federal aid minor arterial under local control within the Lebanon NH urban compact. Regionally, US-4 runs east-west across the state from West Lebanon to Portsmouth. Within Lebanon, US-4 is generally paralleled by I-89, which serves as the primary regional arterial.

[2] ITE Trip Generation Handbook, 3rd Edition, Table E.31 and E.32 for LUC 934 – Fast-Food Restaurant with Drive-Through Window
[3] Assumed average of AM and PM peak hours

Miracle Mile serves as the western arterial between West Lebanon and White River Junction, VT to I-89 southbound and downtown Lebanon. The roadside environment is characterized by suburban commercial shopping center development. Exit 19 on I-89 is approximately 2,200 feet east of the proposed development.

2.1 GEOMETRICS

Miracle Mile consists of one lane in both directions separated by a center two way left turn lane. The total roadway width is approximately 42 feet wide, including 11-foot vehicle travel lanes, a 11-foot center two way left turn lane, a 6-foot westbound shoulder, and a 3-foot eastbound shoulder. There are no marked parking spaces along Miracle Mile.

A recent pedestrian and transit improvement project constructed curbing and a new sidewalk and marked crosswalk across Miracle Mile between the east and west plaza drives. The crosswalk includes a curbed median pedestrian refuge and pushbutton-actuated rectangular rapid flashing beacons. The 6-foot westbound shoulder is marked as a bicycle lane. No bicycle infrastructure is present in the eastbound direction.

Miracle Mile is fairly level and straight adjacent to the project area, with a slight east to west downhill grade and horizontal curve approximately 350-feet east of the site driveways.

2.2 SPEED LIMIT

The speed limit of Miracle Mile adjacent to the site is 30 mph.

2.3 PUBLIC TRANSPORTATION SERVICE

Advance Transit provides fixed route bus service adjacent to the project area on the Red Line, offering service between downtown Lebanon and West Lebanon. Two new transit shelters have been installed at the new crosswalk.

2.4 BICYCLE AND PEDESTRIAN FACILITIES

The proposed project site is in a suburban commercial environment. Limited bicycle and pedestrian infrastructure is present. Sidewalks and a crosswalk are provided immediately adjacent to the project site to serve the transit stop, adjacent commercial plazas, and Listen store.

Roughly paralleling Miracle Mile and US-4 to the north is the Northern Rail Trail (NRT), an off-road shared use path connecting Lebanon to Enfield, Canaan, and points east. The western terminus of the NRT is approximately 1000-feet west of the project site.

3.0 TRAFFIC PROJECTIONS

3.1 EXISTING ROADWAY TRAFFIC VOLUMES

RSG observed and recorded existing traffic volumes on Thursday, November 19, 2020. To account for COVID effects and seasonal variation of traffic volumes, RSG adjusted the observed traffic counts using information from the closest appropriate continuous traffic counter on NH-120.

COVID-Impacts Adjustment

New Hampshire Department of Transportation (NHDOT) maintains a continuous traffic counter (CTC) on NH-120 approximately 1 mile south of the Hanover town line, 4 miles northeast of the project site. CTC ID 02253025 records daily fluctuations in traffic volumes. On the same day as the traffic observations, November 19, 2020, the CTC recorded 19,389 vehicles; in 2019, the same location averaged 19,544 vehicles in November. The resulting COVID-impacts adjustment factor to represent non-COVID 2019 November conditions is estimated as: 19,544 / 19,389 = 1.008.

RSG compared the November 19, 2020 recorded traffic volumes of several other CTC sites around the region to their 2019 November average traffic volume. The COVID-impact adjustment factors for the count day at sites near Andover, Lyme, Newport, and Rumney average to 1.003, similar to the NH-120 site.

Seasonal Adjustment

NHDOT guidance for the preparation of traffic impact analyses recommends existing traffic volumes should represent average peak month conditions. The CTC on NH-120 recorded an average peak month traffic volume of 22,157 vehicles per day in October 2019. The resulting seasonal adjustment factor to represent 2019 average peak month conditions is estimated as: 22,157 / 19,544 = 1.134.

Annual Growth Factor

An annual growth factor is used to account for background traffic growth associated with regional development, small projects, and demographic shifts in the area. The annual growth factor is assumed to be 1% per year.

To represent growth from 2019[4] to 2021, the annual adjustment is: 1.020.

To represent growth from 2021 to 2031, the annual adjustment is: 1.105.

Following all adjustments, the 2021 AM peak hour No Build volume along Miracle Mile east of the project site is 900 vehicles per hour. This hourly volume is consistent with a

[4] While the traffic counts were conducted in 2020, they were adjusted to 2019 conditions to account for the impact of COVID-related travel patterns.

three-day automatic traffic recorder (ATR) study in October 2019 along Miracle Mile[5], indicating the adjusted volumes are representative of design conditions.

3.2 OTHER DEVELOPMENT VOLUMES

Other development volumes (ODVs) represent trips generated by permitted, but not yet built, developments in the area of the project. The following ODVs have been identified:

1. **195 Mechanic Street Residential Apartment Building.** This 26-unit residential development is located approximately 1 mile east of the proposed site along US-4 (Mechanic Street). The multifamily building is estimated to generate 10 exiting and 3 entering trips in the AM peak hour. 25% of these trips are assumed to travel along Miracle Mile adjacent to the project site. The proposed development is expected to be completed and occupied in the 2021 and 2031 scenarios.
2. **River Park Mixed Use Planned Use Development.** This approximately 800,000 SF development is about 2 miles northwest of the site along US-4 and NH-10 in West Lebanon. The project is not expected to be completed in 2021. For the purposes of this study, full occupancy is assumed by 2031 per communication with city staff. The River Park Traffic Impact Study[6] estimated 180 westbound and 45 eastbound vehicles in the AM peak hour following full occupancy; these volumes are added into the 2031 scenario analyses.
3. **Iron Horse Mixed Use Planned Use Development.** This approximately 620,000 SF development is located 1 mile west of the project site along US-4 in West Lebanon. The project is not expected to be completed in 2021. For the purposes on this study, full occupancy is assumed by 2031 per communication with city staff. The Iron Horse Traffic Impact Study[7] estimated 127 westbound and 38 eastbound vehicles in the AM peak hour following full occupancy; these volumes are added into the 2031 scenario analyses.

The resulting No Build, non-COVID peak month adjusted, AM peak hour traffic volumes with ODVs are illustrated in Figure 3 and Figure 4 for 2021 and 2031 analysis years, respectively.

3.3 DISTRIBUTION OF ESTIMATED TRIP GENERATION

As shown in Table 1, the proposed development is estimated to generate 27 entering and 25 exiting primary trips, and 25 entering and 25 exiting pass-by trips in the AM peak hour.

This trip generation was distributed proportionally to the existing traffic along Miracle Mile. Based on movement of vehicles through the site according to the site layout, all

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[5] NHDOT Transportation Data Management System Location ID: 22253021 https://nhdot.ms2soft.com/tcds/tsearch.asp?loc=nhdot
[6] Updated Traffic Impact Study, River Park Development, dated March 31, 2014 by VHB, Inc
[7] Iron Horse Business Park Traffic Impact and Access Study, dated December 2010, by RSG

entering trips were assigned to the western drive, and all exiting trips were assigned to the eastern drive. While entering and exiting traffic may choose either driveway, assigning all entering and exiting traffic to one location results in a more conservative traffic analysis.

The resulting distribution of the estimated trip generation is illustrated in Figure 5. The trip distribution is added to the No Build scenario volumes to develop the 2021 and 2031 Build scenario volumes. These volumes are illustrated in Figure 6 and Figure 7.

3.4 SCENARIO VOLUME SCHEMATIC DIAGRAMS

FIGURE 3: 2021 AM PEAK HOUR NO BUILD SCENARIO VOLUMES

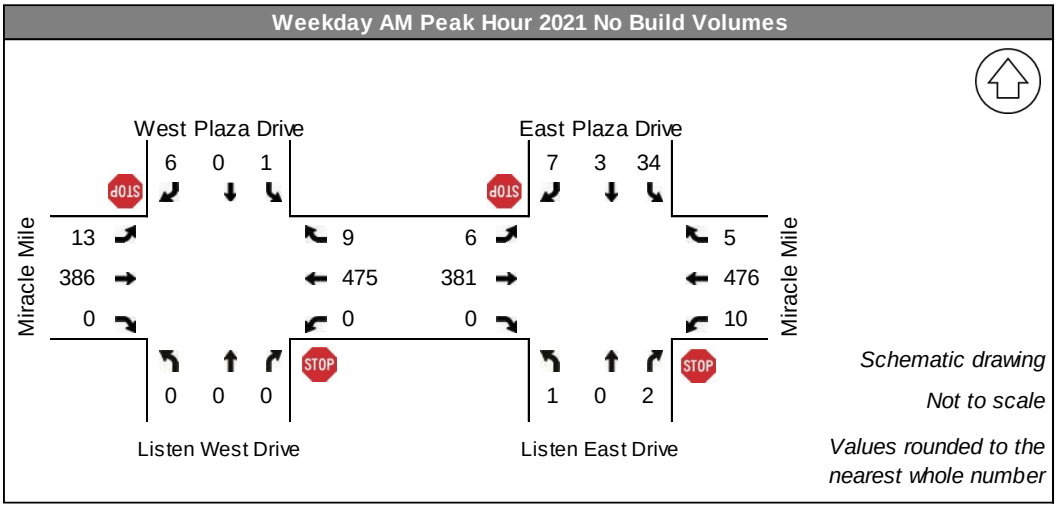


FIGURE 4: 2031 AM PEAK HOUR NO BUILD SCENARIO VOLUMES

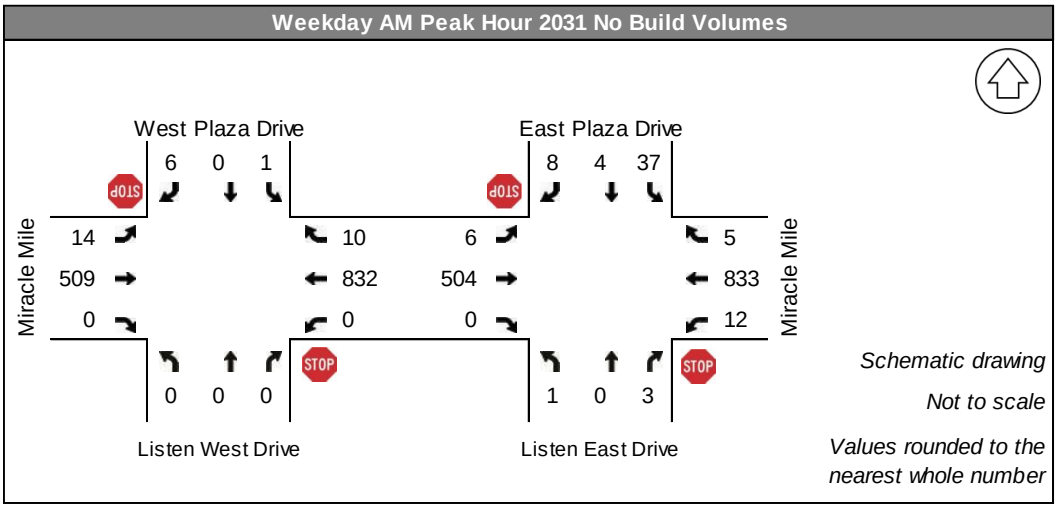


FIGURE 5: TOTAL ESTIMATED TRIP GENERATION FOR THE WEEKDAY AM PEAK HOUR

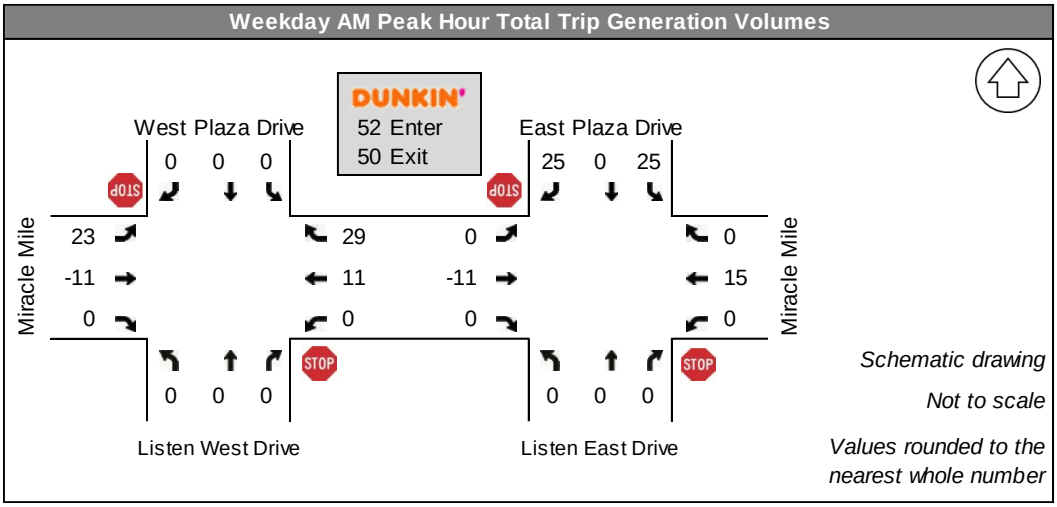


FIGURE 6: 2021 AM PEAK HOUR BUILD SCENARIO VOLUMES

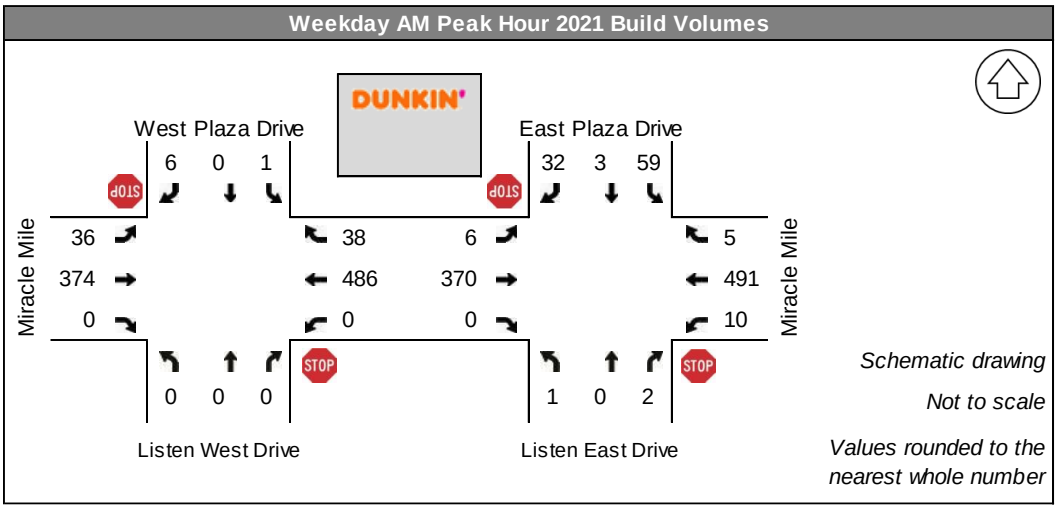
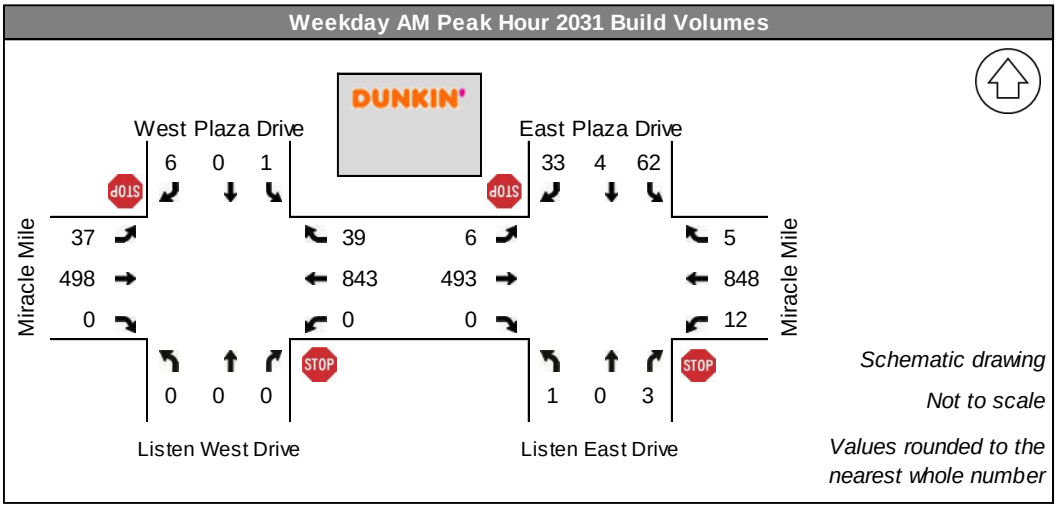


FIGURE 7: 2031 AM PEAK HOUR BUILD SCENARIO VOLUMES



4.0 CAPACITY AND CONGESTION ANALYSIS

4.1 LEVEL-OF-SERVICE DEFINITION

Level-of-service (LOS) is a qualitative measure describing the operating conditions as perceived by motorists driving in a traffic stream. LOS is calculated using the procedures outlined in the Highway Capacity Manual, Sixth Edition: A Guide for Multimodal Mobility Analysis[8] (HCM6). In addition to traffic volumes, key inputs include the number of lanes at each intersection, traffic control type (signalized or unsignalized), and the traffic signal timing plans, if applicable.

The HCM6 defines six qualitative grades to describe the level of service at an intersection. Level-of-service is based on the average control delay per vehicle. Table 2 shows the various LOS grades and descriptions for signalized and unsignalized intersections.

TABLE 2: LEVEL-OF-SERVICE CRITERIA FOR SIGNALIZED AND UNSIGNALIZED INTERSECTIONS

LOS	Characteristics	Unsignalized Total Delay (sec)	Signalized Total Delay (sec)
A	Little or no delay	≤ 10.0	≤ 10.0
B	Short delays	10.1-15.0	10.1-20.0
C	Average delays	15.1-25.0	20.1-35.0
D	Long delays	25.1-35.0	35.1-55.0
E	Very long delays	35.1-50.0	55.1-80.0
F	Extreme delays	> 50.0	> 80.0

The delay thresholds for LOS at signalized and unsignalized intersections differ because of the driver's expectations of the operating efficiency for the respective traffic control conditions. According to HCM procedures, an overall LOS cannot be calculated for two-way stop-controlled intersections because not all movements experience delay. In signalized and all-way stop-controlled intersections, all movements experience delay and an overall LOS can be calculated.

An alternative metric for traffic congestion is defined by the volume to capacity ratio (v/c). The volume to capacity ratio (v/c) represents the sufficiency of an approach leg to accommodate the vehicular demand. According to FHWA:

> *"As the v/c ratio approaches 1.0, traffic flow may become unstable, and delay and queuing conditions may occur. Once the demand exceeds the capacity (a*

[8] The HCM6 does not provide methodologies for calculating intersection delays at certain intersection types including signalized intersections with exclusive pedestrian phases and signalized intersections with non NEMA-standard phasing. Because of these limitations, HCM 2000 and HCM 2010 methodologies are employed where necessary and as noted.

v/c ratio greater than 1.0), traffic flow is unstable and excessive delay and queuing is expected."[9]

4.2 TRAFFIC MODELING SCENARIOS

RSG built a traffic model using Synchro version 10 for the 2021 and 2031 AM peak hour No Build and Build scenarios. The northbound and southbound approaches to Miracle Mile are stop controlled. Because the eastbound and westbound through and right-turning movements do not have any conflicting volumes, these movements do not experience delay.

The AM peak hour congestion analysis results are shown in Table 3.

TABLE 3: CONGESTION ANALYSIS RESULTS

	AM Peak Hour											
	2021 No Build			2021 Build			2031 No Build			2031 Build		
Intersections	LOS	Delay	v/c	LOS	Delay	v/c	LOS	Delay	v/c	LOS	Delay	v/c
Miracle Mile / West Plaza Drive / Listen West Drive												
EB Left, along Miracle Mile (US-4)	A	9	0.01	A	9	0.04	B	10	0.02	B	11	0.06
WB Left, along Miracle Mile (US-4)	A	<1	-	A	<1	-	A	<1	-	A	<1	-
SB Left / Through / Right, along West Plaza Drive	B	13	0.02	B	13	0.02	C	19	0.03	C	24	0.04
NB Left / Through / Right, along Listen West Drive	A	<1	-	A	<1	-	A	<1	-	A	<1	-
Miracle Mile / East Plaza Drive / Listen East Drive												
EB Left, along Miracle Mile (US-4)	A	9	0.01	A	9	0.01	B	10	0.01	B	10	0.01
WB Left, along Miracle Mile (US-4)	A	8	0.01	A	8	0.01	A	9	0.01	A	9	0.01
SB Left / Through / Right, along East Plaza Drive	C	17	0.17	C	19	0.34	D	29	0.31	E	43	0.61
NB Left / Through / Right, along Listen East Drive	B	12	0.01	B	13	0.01	C	16	0.01	C	16	0.01

As shown in Table 3, the proposed development is expected to increase delay only minimally and not impact level of service in the 2021 scenarios. Average delays are expected to increase by no more than 2 seconds in the 2021 scenarios.

Under the conservative assumption that all traffic will exit the proposed Dunkin' via the East Drive, a modest increase in delay for traffic exiting the Plaza is projected in the 2031 scenarios due to the additional traffic on US-4 resulting from the Iron House and River Park developments described in Section 3.2. These two developments are estimated to increase through traffic volumes on Miracle Mile by +390 vehicles in the AM peak hour, or about +40%.

4.3 DRIVE THROUGH CAR QUEUING

RSG developed an M/M/1 stochastic queuing analysis model to estimate the probability of queue lengths. In Section 1.1, the number of arrivals was estimated at 52 per hour. The operator of the Dunkin' Brands establishment has estimated a window service time of 45 seconds, or a service rate of 80 per hour. This results in an average queue length of two vehicles (approximately 40 feet) and a 95th percentile queue length of six vehicles (approximately 120 feet). The stochastic queuing model estimated an average wait time of 84 seconds. The proposed site includes a 120-foot drive through lane with an 80-foot

[9] Federal Highway Administration (FHWA), *Signalized Intersections: Informational Guide*, 2004

mobile order bypass lane. These lanes provide adequate queue storage for the 95th percentile queue.

Using the same process, the queue length that develops from the order board was estimated. Assuming a similar percentage of drive through customers use the mobile app as do for proximate stores, the average queue length at the order board is estimated to be two vehicles (approximately 40 feet) and the 95th percentile queue is estimated to be five vehicles (approximately 100 feet). The proposed plan includes adequate storage to accommodate the 95th percentile queue from the order board without impacting the surrounding road network.

4.4 TRAFFIC SIGNAL WARRANT ANALYSIS

RSG collected 12 hours of turning movement volumes at the Miracle Mile / East Plaza Drive / Listen East Drive intersection. The turning movement volumes, originally observed on November 19, 2020, were adjusted as described in Section 3.1.

Using the adjusted traffic volumes, the Four Hour traffic volume signal warrant is met in the 2021 No Build condition, without addition of project-generated traffic. This warrant is met for four hours, all of which are in the PM period when the proposed project is not operating at peak capacity. As the warrant is met in the 2021 No Build scenario, it is met in all other scenarios as well. The warrant analysis worksheets are presented in Attachment E.

5.0 SIGHT DISTANCE REVIEW

As defined in the 2018 publication *A Policy on Geometric Design of Highways and Streets*, from the American Association of State Highway and Transportation Officials (AASHTO), sight distance is the "the length of roadway ahead that is visible to the driver."[10] Sight distances of sufficient length are necessary at all points along a roadway to ensure vehicles can safely stop or avoid colliding with potential obstructions or other vehicles on the roadway.

Standard practice in assessing intersection safety and operations involves measuring two separate sight distances – **stopping sight distance** (SSD) and **intersection sight distance** (ISD).

Stopping sight distance is the visible distance along a roadway between an advancing motorist and a potential obstacle in the roadway. It is measured from a point representing the approaching driver's eye and a point representing an obstacle in the

[10] American Association of State Highway and Transportation Officials, A Policy on Geometric Design of Highways and Streets, Seventh Edition (Washington D.C.: American Association of State Highway and Transportation Officials, 2018). Page 3-2.

roadway.[11] Stopping sight distances of adequate length are needed along all roadways, both at and away from intersections, so that drivers travelling at design speeds can react to potential obstacles and safely brake to avoid collisions. Design minimum stopping sight distances are calculated based on factors such as design speed, response times, and grades as reported in the *2018 Policy on Geometric Design of Highways and Streets*.[12]

Intersection sight distance is the distance available along the major road travelled way corresponding with the maximum visibility between an advancing motorist on the major road and an entering motorist on an intersecting minor road. It is measured between a point representing the advancing driver's eye above the major road and a point representing the entering driver's eye above the intersecting road.[13]

The *2018 Policy on Geometric Design of Highways and Streets* states that the available intersection sight distance should be at least equal to the required stopping sight distance along the major road.

> *"Sight distance is also provided at intersections to allow the drivers of stopped vehicles a sufficient view of the intersecting highway to decide when to enter the intersecting highway or to cross it. If the available sight distance for an entering or crossing vehicle is at least equal to the appropriate stopping sight distance for the major road, then drivers have sufficient sight distance to anticipate and avoid collisions."*

However, when possible it is desirable to have intersection sight distances that exceed the design minimum stopping sight distances to offer improved operations, such that major road traffic need not decelerate to accommodate entering traffic.

> *"However, in some cases a major-road vehicle may need to stop or slow to accommodate the maneuver by a minor road vehicle. To enhance traffic operations, intersection sight distances that exceed stopping sight distances are desirable along the major road."*

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[11] As noted in the 2018 Policy on Geometric Design of Highways and Streets (page 3-15), the height of the driver's eye is assumed to be 3.5' above the road surface and the height of a potential obstacle is 2.0' above the road surface.

[12] American Association of State Highway and Transportation Officials, A Policy on Geometric Design of Highways and Streets, Seventh Edition (Washington D.C.: American Association of State Highway and Transportation Officials, 2018). Page 3-5 to 3-6.

[13] As noted in the 2018 Policy on Geometric Design of Highways and Streets (page 3-16), the height of the driver's eye of the approaching vehicle is assumed to be 3.5' above the road surface of the major road and the height of the driver's eye of the entering vehicle is assumed to 3.5' above the minor road surface. The decision point offset from the travel way varies with sight conditions (page 9-38); in this case we assume the decision point is 15-feet from the travel way.

Based on the 30-mph speed limit and level grade along Miracle Mile in the project area, the design minimum intersection sight distance for turning traffic is 290 feet to the east[14] and 335 feet to the west[15]. The design minimum stopping sight distance is 200 feet[16].

Sight distances were measured at the existing East and West Plaza Drive locations. Both stopping sight distances and intersection sight distances exceed 400 feet along Miracle Mile at both intersections. Measured sight distances at the two drive locations are summarized in Table 4.

TABLE 4: SUMMARY OF OBSERVED SIGHT DISTANCES AT THE EXISTING PROJECT DRIVES

	Miracle Mile at West Plaza Drive	
	Required Minimum	**Site Measured**
Stopping Sight Distance	eastbound: 200’ westbound: 200’	eastbound: >400’ **(met)** westbound: >400’ **(met)**
Intersection Sight Distance	left, to east: 290’ right, to west: 335’	left, to east: >400’ **(met)** right, to west: >400’ **(met)**
	Miracle Mile at East Plaza Drive	
	Required Minimum	**Site Measured**
Stopping Sight Distance	eastbound: 200’ westbound: 200’	eastbound: >400’ **(met)** westbound: >400’ **(met)**
Intersection Sight Distance	left, to east: 290’ right, to west: 335’	left, to east: >400’ **(met)** right, to west: >400’ **(met)**

The driver’s perspective exiting the eastern drive is shown in Figure 8.

[14] AASHTO Green Book Section 9.5.3.2.2, Table 9-9
[15] AASHTO Green Book Section 9.5.3.2.1, Table 9-7
[16] AASHTO Green Book, Section 3.2.2.2, Table 3-1

FIGURE 8: DRIVER'S PERSPECTIVE LOOKING TO THE EAST (LEFT) AND WEST (RIGHT) FROM THE EASTERN PLAZA DRIVE INTERSECTION WITH MIRACLE MILE

6.0 CRASH RECORD REVIEW

RSG contact the Lebanon Police Department (LPD) for information on reported crashes within 250 feet of the East and West Plaza Drives during the five-year period from January 1, 2015 through November 25, 2020. In this period, there were six reported collisions, with two of these collisions resulting in personal injury. In the same period, there were five reported crashes in the shopping plaza parking lot, with one collision resulting in personal injury. No manner of collision or direction of travel was provided by the LPD for any of these crashes.

7.0 SITE PLAN REVIEW

RSG reviewed the site plan dated 12/10/2020 illustrated in Figure 2 for general circulation safety and efficiency for people walking, bicycling, taking transit, and driving.

The proposed site improves the pedestrian environment. What was formerly an unbroken expanse of asphalt is now segmented into aisles with sidewalks, landscaping, and crosswalks between the transit stops along Miracle Mile, the proposed Dunkin' site, and the movie theater entrance. The site should include at least two conveniently located, U-style freestanding bicycle racks on a concrete pad with adequate clearance from vertical elements for bicycle parking.

As noted in Section 4.3, the drive through entrance queue is adequate for the estimated operating conditions. The parking lot aisles and bays at the drive through exit lane approach should be well defined to improve internal circulation.

8.0 MITIGATION RECOMMENDATIONS

Based on the analysis conducted for this report, the proposed project will not cause or exacerbate any unreasonable congestion or unsafe conditions on Miracle Mile or the local roadway network. We recommend the following features are considered as the project develops to ensure the continued safe and efficient operation of the existing site:

- The proposed development should consider installing conveniently located U-style bicycle racks on a concrete pad for guests arriving on a bicycle.
- The proposed development should configure the East Plaza Drive entrance and exit lanes to reduce conflict points between entering, exiting, and internally circulating traffic.

ATTACHMENTS

A – Count Data

B – Adjustment Data

C – Trip Generation Calculations

D – Congestion and Capacity Analysis Worksheets

E – Signal Warrant Worksheets

SITE PLAN FOR

MIRACLE MILE REALTY

"DUNKIN DONUTS"

388 MIRACLE MILE - CITY OF LEBANON

GRAFTON COUNTY - NEW HAMPSHIRE

OCTOBER 13, 2020

SITE INFORMATION

TAX MAP & LOT NUMBER:	MAP 103 LOT 6
ZONING DISTRICT:	GENERAL COMMERCIAL
AREA OF LOT:	11.23 ACRES
EXISTING USE:	RETAIL: PRICE CHOPPER, SYSTEMS PLUS, & FAMILY DOLLAR THEATER: UPPER VALLEY CINEMA
PROPOSED USE:	RESTAURANT: DUNKIN DONUTS

GROSS AREA OF BUILDINGS:	EXISTING	ADDITIONAL	TOTAL
	75,647 SQ. FT.	1,332 SQ. FT.	76,979 SQ. FT.

PARKING:

UPPER VALLEY CINEMA (11,900 SQ. FT. – 470 SEATS) (1 SPACE/3 SEATS) REQUIRED: 157 SPACES
SYSTEMS PLUS & FAMILY DOLLAR (15,147 SQ. FT.) (1 SPACE/200 SQ. FT.) REQUIRED: 76 SPACES
PRICE CHOPPER (48,600 SQ. FT.) (1 SPACE/200 SQ. FT.) REQUIRED: 243 SPACES
DUNKIN DONUTS (1,332 SQ. FT.) (1 SPACE/200 SQ. FT.) REQUIRED: 7 SPACES

SHARED PARKING CALCULATIONS						
USE	SPACES PER USE	WEEKDAY		WEEKEND		12 AM – 6 AM
		9 AM – 4 PM	6 PM – 12 AM	9 AM – 4 PM	6 PM – 12 AM	
RETAIL	319	192	287	319	223	16
RESTAURANT	7	4	7	7	7	1
ENTERTAINMENT	157	63	157	125	157	16
TOTAL SPACES REQUIRED	483	259	*451	*451	387	33
* 451 Total spaces required.						

PARKING PROVIDED: 378 SPACES

NUMBER OF STORIES: 1 STORY (PRICE CHOPPER, CINEMA, SYSTEMS PLUS, FAMILY DOLLAR & DUNKIN DONUTS)

LOADING SPACES: AS SHOWN

BUILDING HEIGHT:	REQUIRED	EXISTING	PROPOSED
	55'	>55'	20'–7"

BUILDING SETBACKS:	REQUIRED	EXISTING	PROPOSED
FRONT:	40'	109.1'	49.7'
SIDE:	20'	0'	191.5'
REAR:	20'	19.3'	490.1±'

LOT COVERAGE (BUILDING):	ALLOWED	EXISTING	PROPOSED
	30%	75,647 SQ. FT. (15.5%)	76,979 SQ. FT. (15.7%)

IMPERVIOUS AREA:	EXISTING	PROPOSED
	290,800 SQ. FT (59.4%)	280,325 SQ. FT. (57.3%)

THE SITE IS NOT WITHIN THE WETLANDS CONSERVATION DISTRICT, FLOOD PLAIN DISTRICT, AND THE SHORELAND WATER QUALITY PROTECTION JURISDICTION.

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SHEET 3 OF 14 – LAYOUT PLAN
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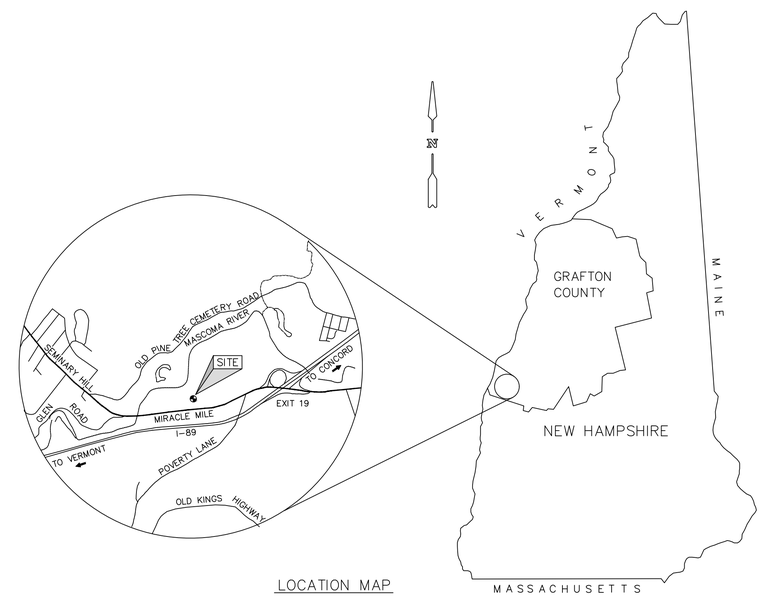
SHEET 5 OF 14 – SCHEMATIC SITE DETAILS
SHEET 6 OF 14 – DRAINAGE & UTILITY PLAN
SHEET 7 OF 14 – LANDSCAPE PLAN
SHEET 8 OF 14 – LIGHTING PLAN
SHEET 9 OF 14 – SITE DETALS
SHEET 10 OF 14 – LANDSCAPE & LIGHTING DETAILS
SHEET 11 OF 14 – WATER & SEWER DETAILS
SHEET 12 OF 14 – DRAINAGE & EROSION CONTROL DETAILS
SHEET 13 OF 14 – EROSION CONTROL DETAILS
SHEET 14 OF 14 – ELEVATIONS



LOCATION MAP

REVISED: 01/18/21 LAYOUT & PARKING REVISIONS
REVISED: 12/10/20 ADDITIONAL STAFF REVIEW COMMENTS
REVISED: 11/20/20 STAFF REVIEW COMMENTS

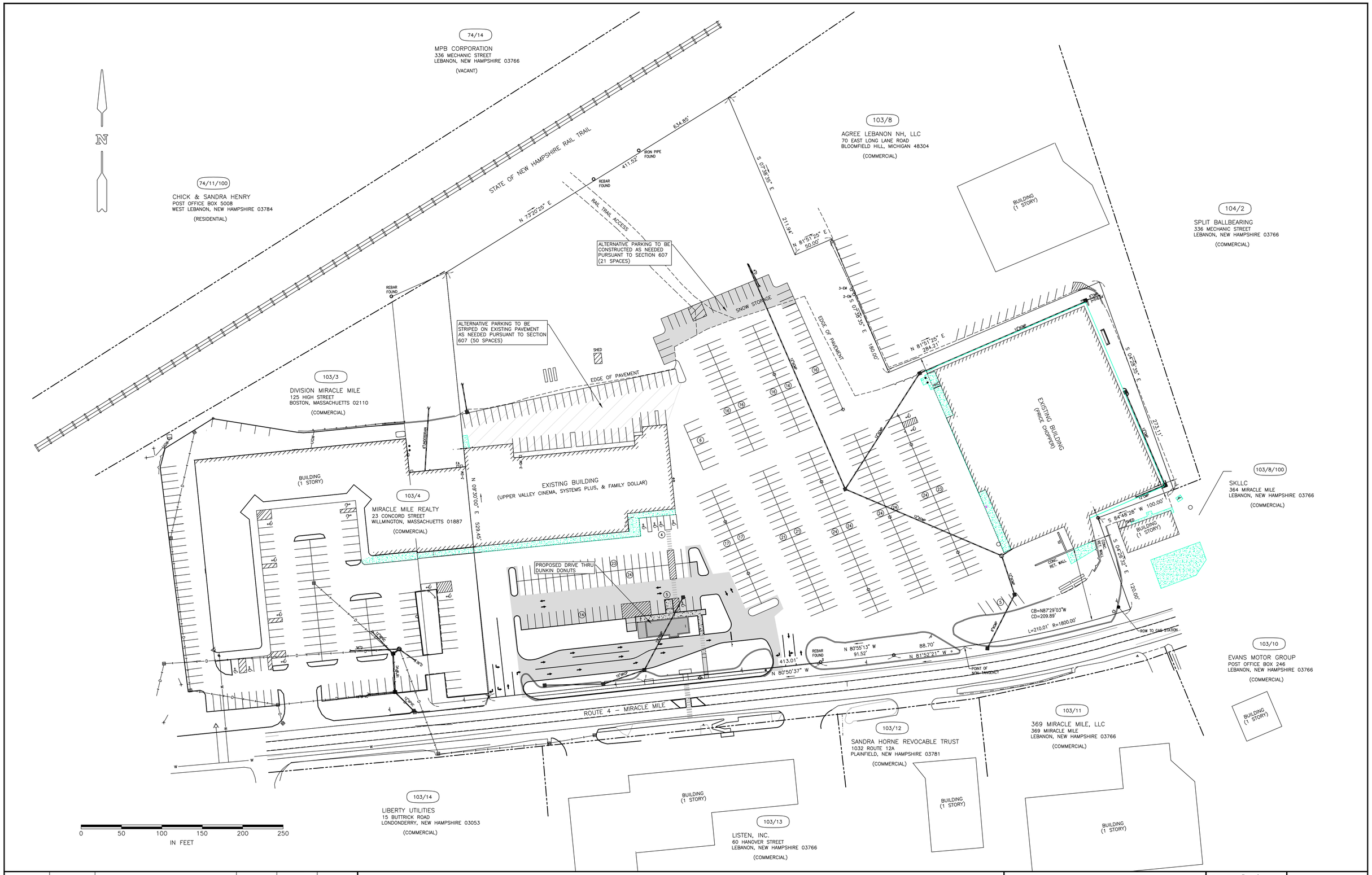
ARCHITECTS
AHARONIAN & ASSOCIATES, INC.
310 GEORGE WASHINGTON HIGHWAY – SUITE 100
SMITHFIELD, RHODE ISLAND 02917
(401) 232–5010

CIVIL ENGINEER
PATHWAYS CONSULTING, LLC
240 MECHANIC STREET, SUITE 100
LEBANON, NEW HAMPSHIRE 03766
(603) 448–2200

RECORD OWNER:
MIRACLE MILE REALTY, LLC
23 CONCORD STREET
WILLMINGTON, MASSACHUETTS 01887

APPLICANT:
89 DONUTS, LLC
SAGRIS ENTERPRISES MANAGEMENT
1805 OLD CONCORD ROAD
HENNIKER, NEW HAMPSHIRE 03242
(603) 276–3975

STATE OF NEW HAMPSHIRE – RODRICK J. FINLEY No. 7466 – LICENSED PROFESSIONAL ENGINEER



REVISION NO.	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY
	01/18/21	LAYOUT & PARKING REVISIONS	PAB	RJF	RJF
	12/10/20	ADDITIONAL STAFF REVIEW COMMENTS	PAB	RJF	RJF
	11/20/20	STAFF REVIEW COMMENTS	PAB	RJF	RJF

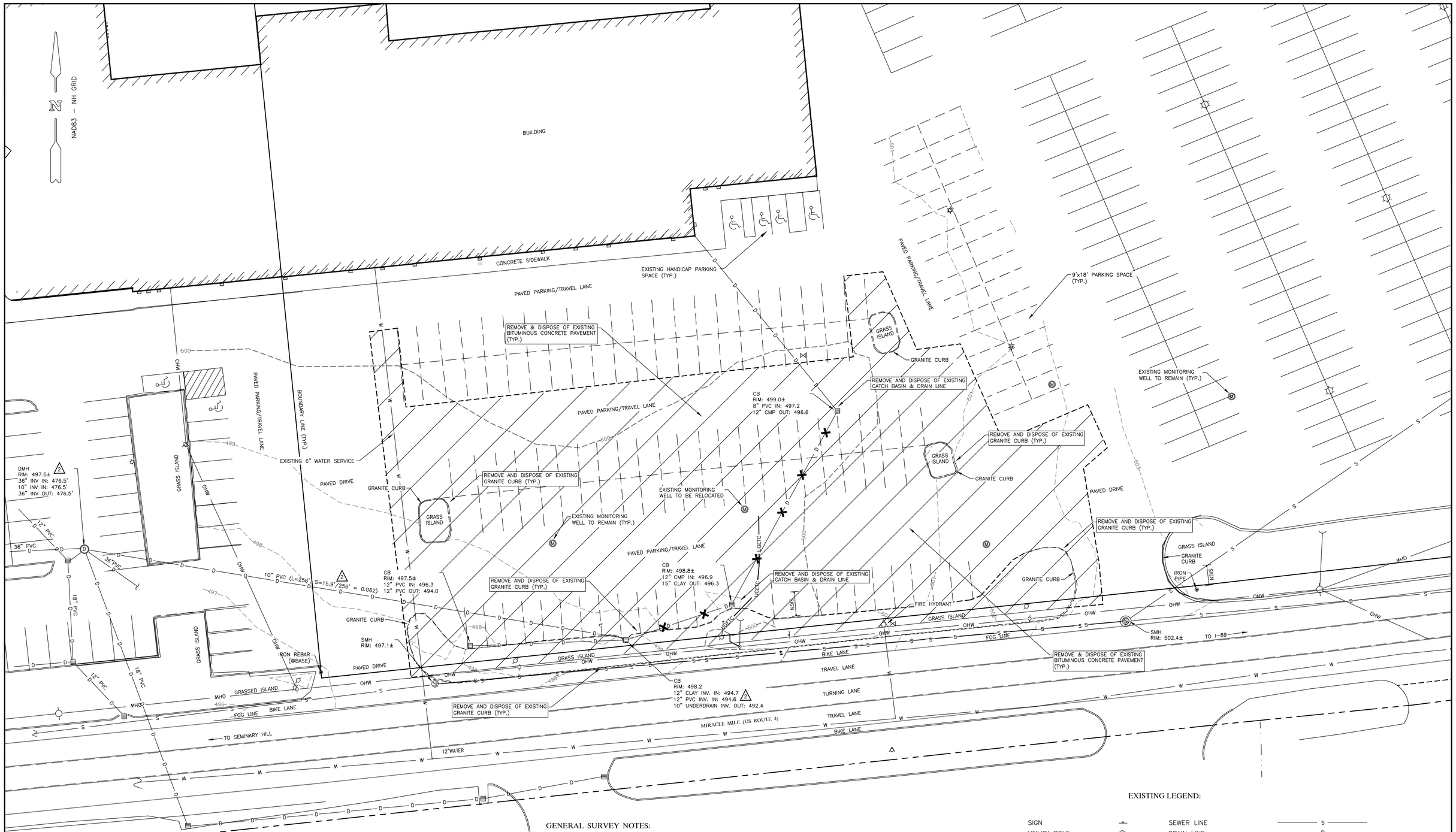
CONTEXT PLAN FOR

MIRACLE MILE REALTY, LLC. - "DUNKIN DONUTS"

388 MIRACLE MILE – CITY OF LEBANON – GRAFTON COUNTY – NEW HAMPSHIRE

PATHWAYS CONSULTING, LLC
240 MECHANIC STREET, SUITE 100
LEBANON, NEW HAMPSHIRE 03766
(603) 448-2200

SCALE: 1"=50'	1
DESIGNED BY: PAB	
DRAWN BY: PAB	
CHECKED BY: RJF	
DATE: 10/13/20	
PROJ. NO. 12777-01	SHEET 1 OF 14



NOTES:

1. GRADED AREA SHALL BE VEGETATED TO INSURE EROSION CONTROL BY SEEDING, MULCHING, AND FERTILIZING. DISTURBED AREAS SHALL BE PLANTED WITH SUITABLE PLAN 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.

GENERAL SURVEY NOTES:

1. HORIZONTAL DATUM: NH STATE PLANE GRID NAD83 (SURVEY FEET) FROM GPS OBSERVATION.
2. VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM 1988 (NAV88) FROM GPS OBSERVATION.
3. UNDERGROUND UTILITIES ARE APPROXIMATE AND NOT WARRANTED TO BE EXACT OR COMPLETE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY EXCAVATION OR SITE MODIFICATIONS.
4. PATHWAYS CONSULTING, LLC COLLECTED DATA FOR THIS PLAN IN JULY 2020.

0 20 40 60 80 100
IN FEET

EXISTING LEGEND:

SIGN		SEWER LINE	S
UTILITY POLE		DRAIN LINE	D
LIGHT POLE		WATER LINE	W
HYDRANT		CONTOUR	502
GATE VALVE		UNDERGROUND ELECTRIC	UGE
YARD DRAIN		UNDERGROUND COMMUNICATION	UGC UGC
CATCH BASIN		UNDERDRAIN	UD UD
DRAIN MANHOLE		BUILDING	
SEWER MANHOLE		EDGE OF PAVEMENT	

REVISION NO.	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY
3	01/18/21	EDIT SAWCUT LIMITS	PAB	RJF	RJF
2	12/09/20	STAFF REVIEW COMMENTS	DPM	RJF	RJF
1	11/20/20	STAFF REVIEW COMMENTS	PAB	RJF	RJF

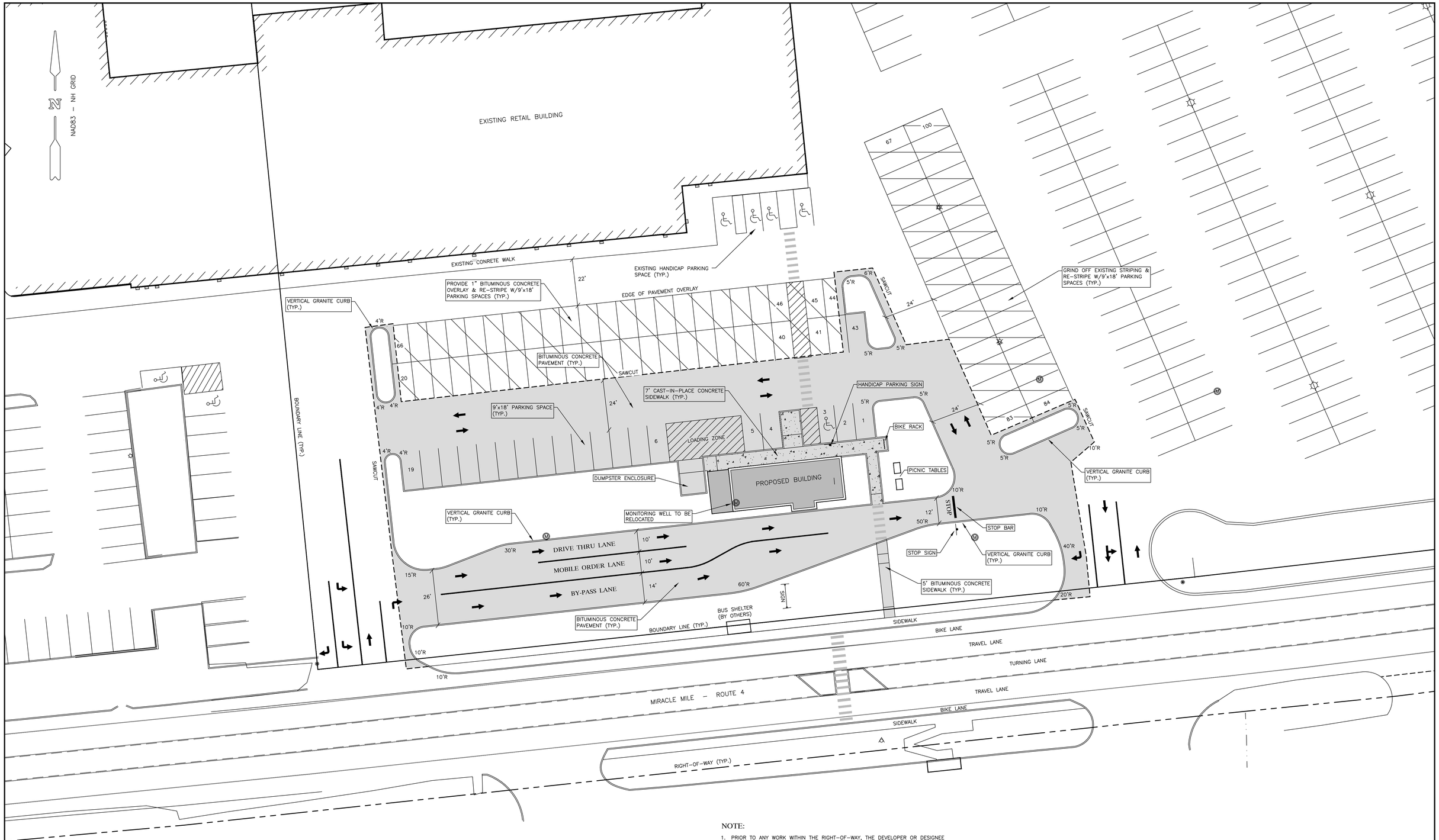
EXISTING CONDITIONS & DEMOLITION PLAN FOR

MIRACLE MILE REALTY, LLC - "DUNKIN DONUTS"

388 MIRACLE MILE – CITY OF LEBANON – GRAFTON COUNTY – NEW HAMPSHIRE

PATHWAYS CONSULTING, LLC
240 MECHANIC STREET, SUITE 100
LEBANON, NEW HAMPSHIRE 03766
(603) 448-2200

SCALE: AS SHOWN	2
DESIGNED BY: PAB	
DRAWN BY: PAB	
CHECKED BY: RJF	
DATE: 10/13/20	
PROJ. NO. 12777-01	SHEET 2 OF 14



NOTE:

1. PRIOR TO ANY WORK WITHIN THE RIGHT-OF-WAY, THE DEVELOPER OR DESIGNEE SHALL OBTAIN ALL REQUIRED APPROVALS FROM THE CITY OF LEBANON INCLUDING WITHOUT LIMITATION ANY SUCH APPROVALS AS MAY BE REQUIRED THOUGH THE PLANNING & DEVELOPMENT DEPARTMENT, THE DEPARTMENT OF PUBLIC WORKS, POLICE DEPARTMENT, AND FIRE DEPARTMENT.

REVISION NO.	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY
	01/18/21	LAYOUT & PARKING REVISIONS	PAB	RJF	RJF
	12/10/20	ADDITIONAL STAFF REVIEW COMMENTS	PAB	RJF	RJF
	11/20/20	STAFF REVIEW COMMENTS	PAB	RJF	RJF

LAYOUT PLAN FOR

MIRACLE MILE REALTY, LLC - "DUNKIN DONUTS"

388 MIRACLE MILE – CITY OF LEBANON – GRAFTON COUNTY – NEW HAMPSHIRE

PATHWAYS CONSULTING, LLC
240 MECHANIC STREET, SUITE 100
LEBANON, NEW HAMPSHIRE 03766
(603) 448-2200

SCALE: AS SHOWN
DESIGNED BY: ANS
DRAWN BY: PAB
CHECKED BY: RJF
DATE: 10/13/20
PROJ. NO. 12777-01

3

SHEET 3 OF 14

DD GREEN NOTES:

1) SITE PROTECTION:
MEET MINIMUM STORMWATER PROTECTION STANDARDS, FOLLOWING LOCAL BUILDING CODE REQUIREMENTS. CONTRACTOR TO MAINTAIN THE PROTECTION METHODS REQUIRED THROUGHOUT CONSTRUCTION.

2) REGIONALLY FRIENDLY LANDSCAPING:
SPECIFY LOW MAINTENANCE REGIONALLY FRIENDLY LANDSCAPING SPECIES FOR ALL EXTERIOR LANDSCAPE.

3) EFFICIENT IRRIGATION SYSTEM:
INCLUDE IRRIGATION CONTROLLER WITH RAINWATER SENSOR IF IRRIGATION SYSTEM IS PROVIDED.

- **SEE CIVIL ENGINEERED DRAWINGS FOR ADDITIONAL INFO.**

** **SITE WORK BY LANDLORD. SOME DD GREEN ITEMS MAY NOT BE APPLICABLE. COORD W/ LL & FRANCHISEE PRIOR TO START OF WORK.**

GROUND LOOP NOTE:

GROUND LOOPS TO BE RUN AS INDIVIDUAL CONDUITS TO DRIVE THRU TIMER MONITOR ADJACENT TO DRIVE THRU WINDOW.

SITE NOTES

1) CLEAN & PREP ALL SURFACES AS REQD PER PAINT MANUF SPECIFICATIONS PRIOR TO PAINTING. VERIFY CONDITION OF EXISTING MATERIALS - REPAIR / REPLACE MATERIALS TO MATCH EXISTING AS REQD. APPLY PAINT IN STRICT ACCORDANCE WITH PAINT MANUF SPECIFICATIONS.

2) SITE & SIGN DETAILS SHOWN ARE SCHEMATIC ONLY. COORDINATE LOCATIONS IN FIELD WITH FRANCHISEE.

3) CUT/PATCH/REPAIR EXISTING PAVEMENT AS REQUIRED. COORDINATE WITH FRANCHISEE FOR EXTENT OF WORK.

4) SEALCOAT & RESTRIPE EXISTING PARKING LOT. SEE X/A0.2 FOR STRIPING DETAILS.

4) POWERWASH EXISTING SIDEWALKS, CURBS & CONC PADS. CLEAN, WEED & REMULCH ANY EXISTING LANDSCAPING.

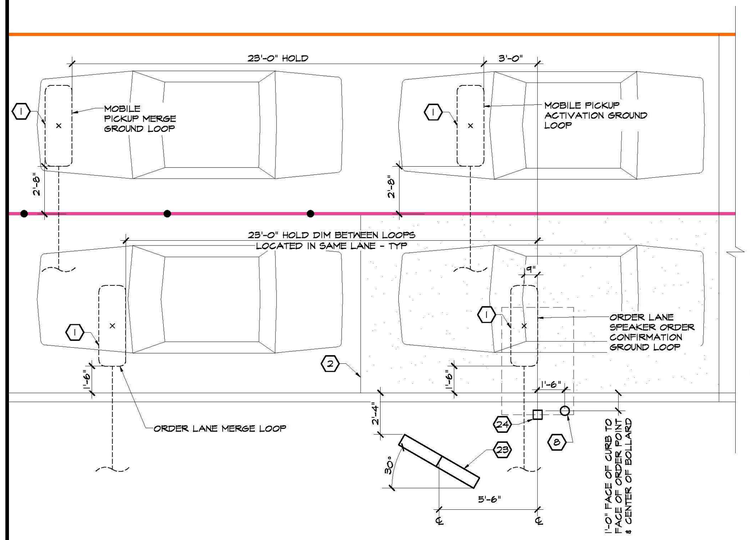
5) PROVIDE NEXTGEN BOLLARD COVERS ON ALL ETR BOLLARDS ON SITE. COORD W/ NATIONAL ACCOUNTS FOR ORDERING. GC TO ENSURE ALL ETR BOLLARDS ARE PROPERLY SET & CONSULT WITH FRANCHISEE IF ADDITIONAL WORK IS REQUIRED.

SITE SIGN SCHEDULE

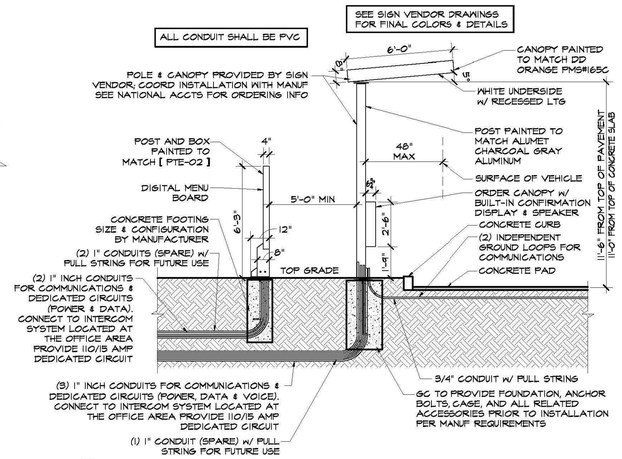
QTY	LOCATION	OVERALL DIMENSIONS	LETTERS	AREA
7	DIRECTIONAL SIGN	2'-6 1/2"L x 1'-1"H x 4"D	15" H	2.75 SF
1	PYLON SIGN	4'-2"L x 14'-2"H x 1'-8"D	23" H	60 SF

KEYED PLAN NOTES

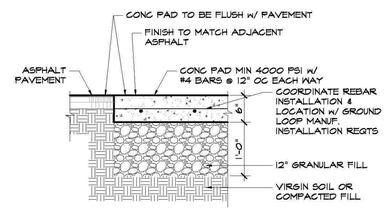
1. 18"X54" GROUND LOOP w/ 1" PVC CONDUIT, HOME RUN CONDUIT TO DRIVE THRU TIMER MONITOR ADJACENT TO DRIVE THRU WINDOW (TYP OF 5). REFER TO SITE PLAN, DETAILS & ELECT DRAWINGS FOR CONDUIT SIZE REQUIREMENTS. MULTIPLE GROUND LOOP WIRING MUST BE IN SEPARATE CONDUITS TO AVOID INTERFERENCE.
2. 20'x10'x6" THICK CONC PAD w/ REINFORCING. TOP OF SLAB SHALL BE FLUSH WITH ADJACENT PAVEMENT. SEE 2/A0.2.
3. "WELCOME BACK" FACE ON DIRECTIONAL SIGN. SEE 2/A0.3.
4. "SEE YOU SOON" FACE ON DIRECTIONAL SIGN. SEE 2/A0.3.
5. "DO NOT ENTER" FACE ON DIRECTIONAL SIGN. SEE 2/A0.3.
6. "DRIVE THRU" FACE ON DIRECTIONAL SIGN. SEE 2/A0.3.
7. DRIVE THRU HEIGHT LIMIT BAR. SEE 6/A0.3.
8. CONCRETE FILLED STEEL BOLLARD. SEE 3/A0.3.
9. "MOBILE ORDER PICK UP" SITE GRAPHICS. SEE 1/A0.3.
10. "DRIVE THRU" SITE GRAPHICS. SEE 1/A0.3.
11. DRIVE THRU LANE START GRAPHIC. SEE 1/A0.3.
12. DRIVE THRU LANE ARROW GRAPHIC. SEE 1/A0.3.
13. "ARROW" [TP-01]. COORD FINAL LOCATIONS w/ SITE PLAN. SEE 1/A0.3.
14. "ARROW" & TEXT AT BYPASS LANE - [TP-01].
15. LINE STRIPING - [TP-04].
16. LINE STRIPING - [TP-05].
17. "ARROW" [TP-04]. SEE 1/A0.3.
18. "ARROW" [TP-05]. SEE 1/A0.3.
19. D/T STACK & MENU BOARD CAMERA MTD TO BUILDING. COORD FINAL LOCATION w/ OWNER.
20. DRIVE THRU WINDOW.
21. PYLON SIGN. SEE 4/A0.3.
22. "CAUTION: MOBILE LANE MERGE AHEAD" SIGN. COORD SPEC W/ CURRENT DUNKIN' STANDARDS
23. DIGITAL MENU BOARD - SEE 3/A0.2.
24. ORDER CANOPY w/ BUILT-IN CONFIRMATION DISPLAY & SPEAKER - SEE 3/A0.2.
25. COLOR CHANGE @ LANE STRIPING MERGE.
26. LANE DELINEATORS @ 8'-0" OC. SEE 5/A0.3.



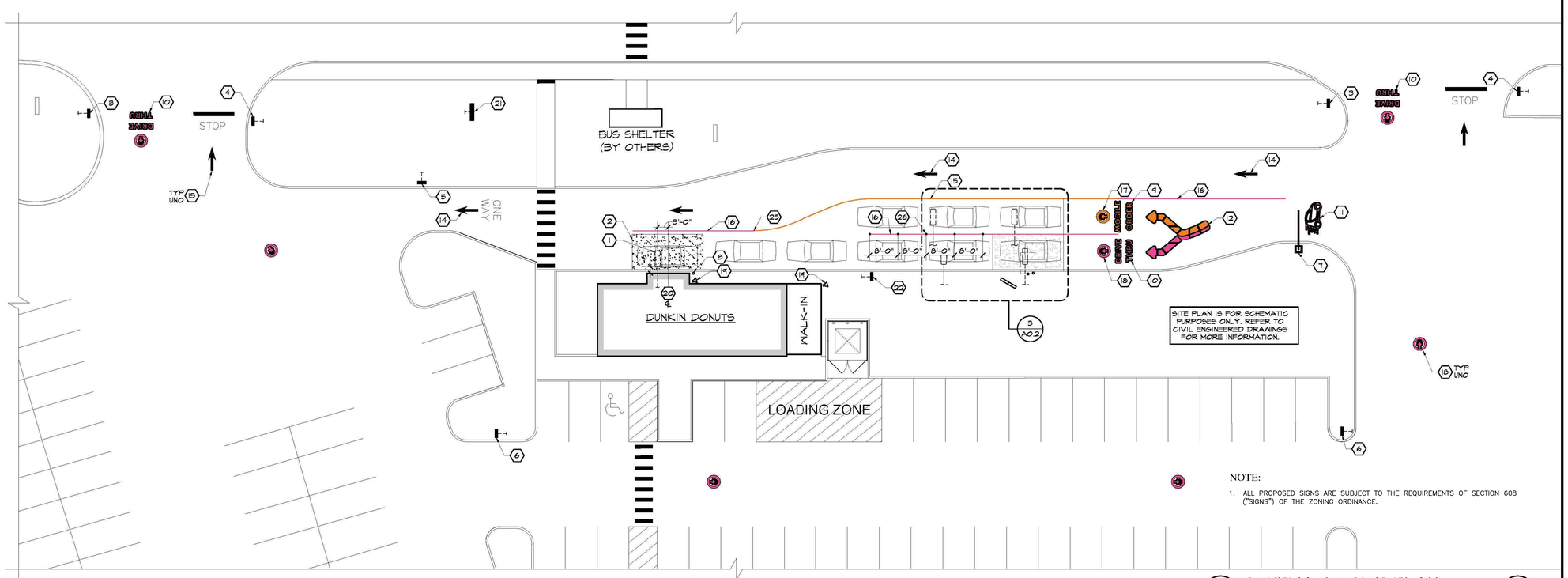
4 / A0.2 MENU BOARD LOCATION
SCALE: 1/4" = 1'-0"



3 / A0.2 MENU BOARD & SPEAKER TOWER DETAIL
NOT TO SCALE



2 / A0.2 SECTION @ CONC PAD
SCALE: 3/4" = 1'-0"



NOTE:

1. ALL PROPOSED SIGNS ARE SUBJECT TO THE REQUIREMENTS OF SECTION 608 ("SIGNS") OF THE ZONING ORDINANCE.

1 SCHEMATIC SITE PLAN
SCALE: 1/16" = 1'-0"

PLAN

AHARONIAN & ASSOCIATES INC.
ARCHITECTS
310 George Washington Highway
Suite 100
Smithfield, Rhode Island
0 2 9 1 7
T 401-232-5010
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REVISIONS

NUMBER	REMARKS	DATE

FOR REVIEW

PROJECT TITLE
DUNKIN' BRANDS
[eat drink think]
PC# NEW

MIRACLE MILE
LEBANON, NH 03784
Grafton County

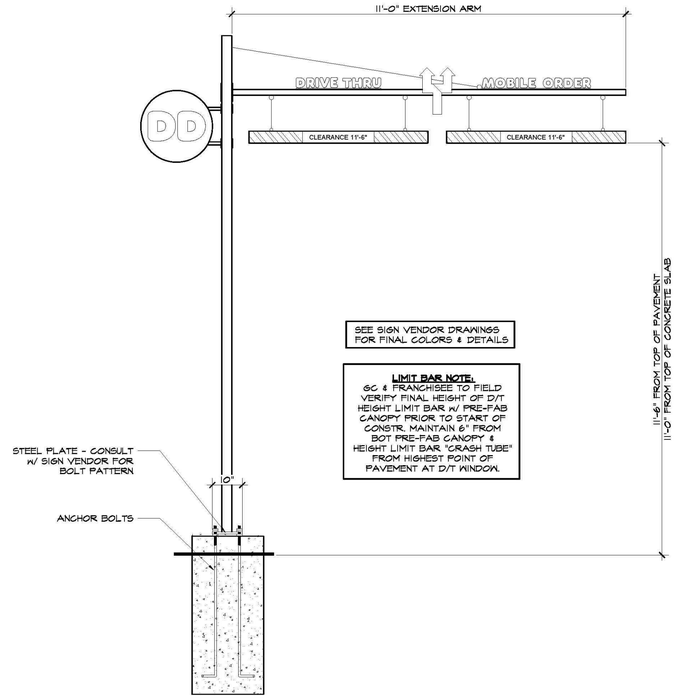
DRAWING TITLE
SCHEMATIC SITE PLAN & DETAILS

DATE	PROJ NO
OCT 9, 2020	20044
DRAWN BY KL/AH	CHECKED BY ECM

DRAWING NUMBER
4

SHEET 4 OF 14

AHARONIAN & ASSOCIATES INC 2020



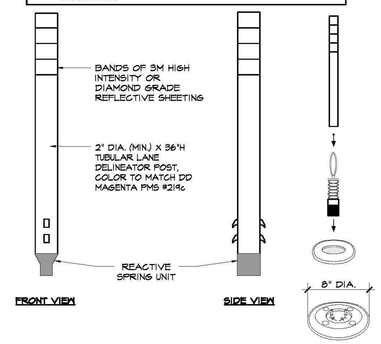
SEE SIGN VENDOR DRAWINGS FOR FINAL COLORS & DETAILS

LIMIT BAR NOTE:
GC & FRANCHISEE TO FIELD VERIFY FINAL HEIGHT OF D/T HEIGHT LIMIT BAR w/ PRE-FAB CANOPY PRIOR TO START OF CONSTR. MAINTAIN 6" FROM BOT PRE-FAB CANOPY & HEIGHT LIMIT BAR. "CRASH TUBE" FROM HIGHEST POINT OF PAVEMENT AT D/T WINDOW.

6 A0.2 LIMIT BAR DETAIL
SCALE: 1/2" = 1'-0"

LANE DELINEATOR NOTES

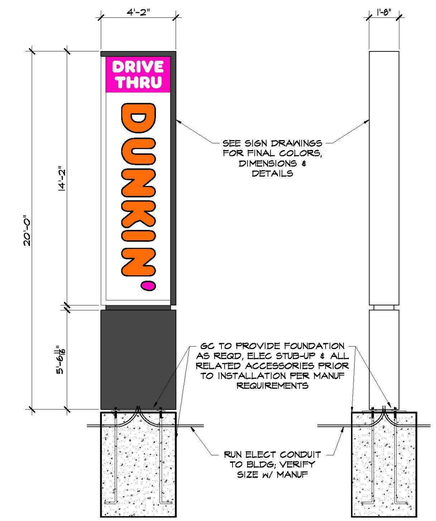
1) COORDINATE WITH BRAND FOR MOST RECENT SPEC. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER SPECIFICATIONS.
2) POST SHALL BE CONSTRUCTED OF SEMI-FLEXIBLE HIGH IMPACT POLYMER RESISTANT TO: ULTRAVIOLET LIGHT, OZONE, AND HYDROCARBONS.
3) UNIT SHALL HAVE A REACTIVE SPRING ASSEMBLY TESTED TO 145LB. TENSION WITH STAINLESS STEEL CABLE.
4) DELINEATOR SHALL HAVE AN "ANTI-TWIST" FEATURE THAT ASSURES THE SIGN WILL RETURN TO ITS ORIGINAL POSITION AFTER IMPACT.
5) SHALL MEET M.U.T.C.D. SPECIFICATIONS. NCHRP-350 APPROVED.
6) ORDER THROUGH IDEAL SHIELD - SEE A7.4 NATIONAL ACCOUNTS.



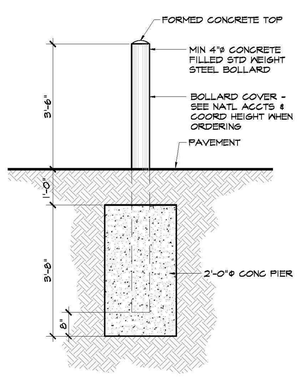
5 A0.2 LANE DELINEATOR DETAILS
SCALE: 1/2" = 1'-0"

PYLON SIGN NOTES:

1) FACE TO BE FORMED CLEAR POLYCARBONATE, DECORATED SECOND SURFACE VINYL.
2) VINYL COLORS TO BE: DD ORANGE 3M #3630-3123; DD MAGENTA 3M #3630-1379.
3) ILLUMINATION: WHITE NICHIA LEDS INTERNALLY ILLUMINATED.
4) SEE NATIONAL ACCOUNTS FOR ORDERING INFORMATION.
5) SEE A7.2 & A7.3 FOR FINISH INFORMATION.



4 A0.2 PYLON SIGN DETAIL
SCALE: 1/4" = 1'-0"

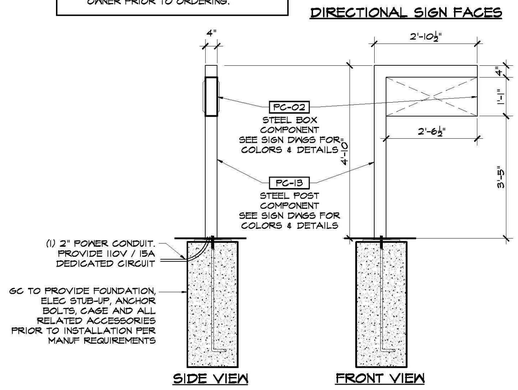


3 A0.2 BOLLARD DETAIL
SCALE: 1/2" = 1'-0"

DIRECTIONAL SIGN NOTES

1) SEE DUNKIN' BRANDS WEBSITE FOR COMPLETE INFORMATION AND DETAILS.
2) AREA OF SIGN = 2.75 SF.
3) LIGHTING = WHITE NICHIA LEDS INTERNALLY ILLUMINATED.
4) LOCATE DIRECTIONAL SIGNS PER SITE PLAN. VERIFY FINAL LOCATIONS W/ OWNER PRIOR TO ORDERING.

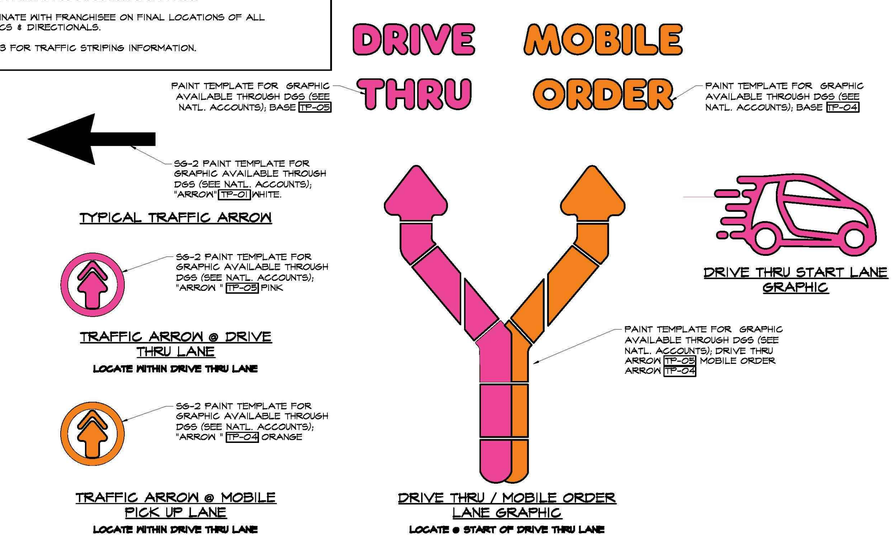
DIRECTIONAL SIGN FACES



2 A0.2 DIRECTIONAL SIGN DETAILS
SCALE: 1/2" = 1'-0"

SITE GRAPHIC & STRIPING NOTES

1) PROPERLY PREP THE APSHALT BEING PAINTED VIA PRESSURE WASH BEFORE PAINTING ALL DIRECTIONAL GRAPHICS.
2) COORDINATE WITH FRANCHISEE ON FINAL LOCATIONS OF ALL GRAPHICS & DIRECTIONALS.
3) SEE A7.3 FOR TRAFFIC STRIPING INFORMATION.



1 A0.2 TRAFFIC STRIPING DETAILS
SCALE: 1/4" = 1'-0"

NOTE:
1. ALL PROPOSED SIGNS ARE SUBJECT TO THE REQUIREMENTS OF SECTION 608 ("SIGNS") OF THE ZONING ORDINANCE.

AHARONIAN & ASSOCIATES INC 2020

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& ASSOCIATES INC.
ARCHITECTS
310 George Washington Highway
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0 2 9 1 7
T 401-232-5010
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REVISIONS

NUMBER	REMARKS	DATE

FOR REVIEW

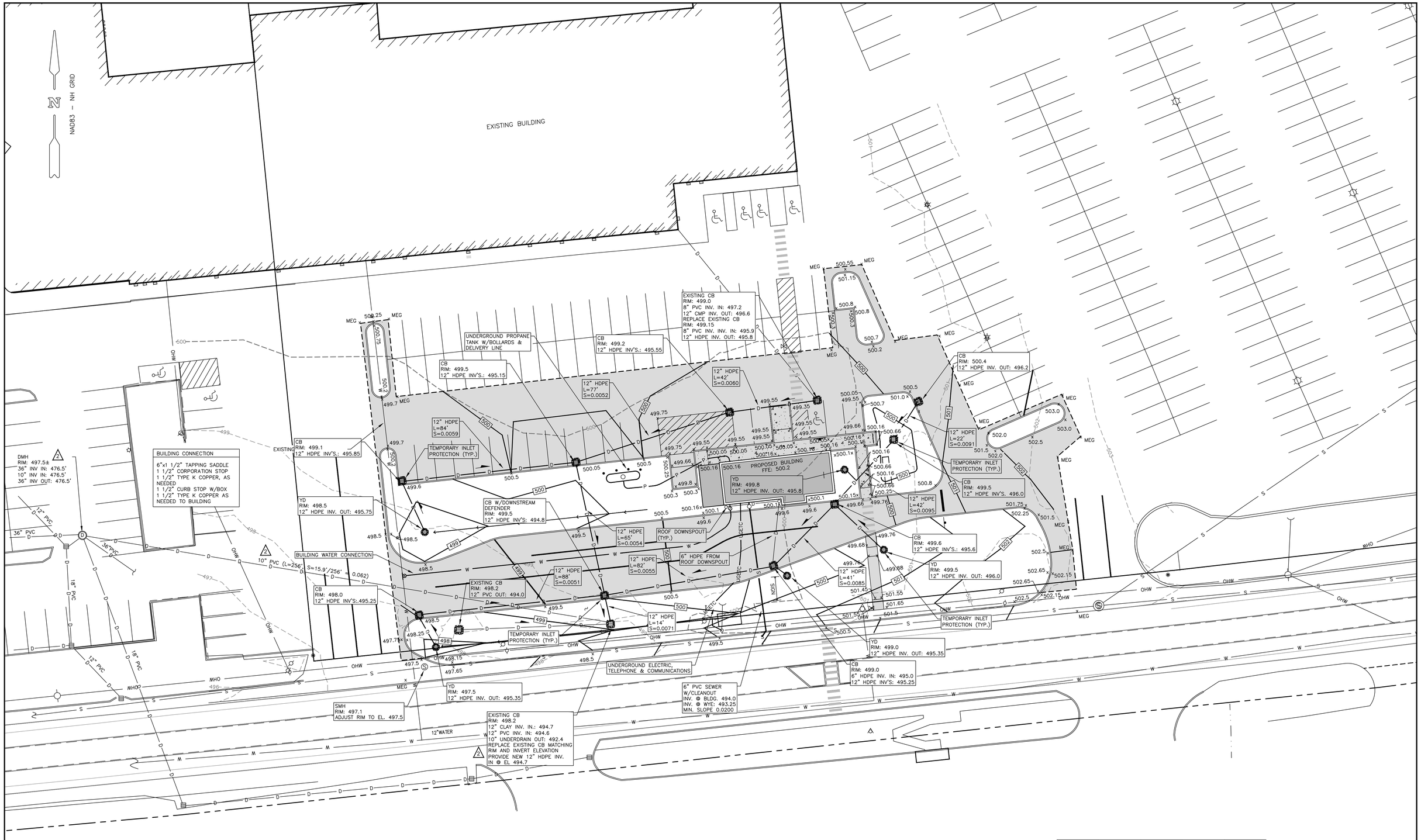
PROJECT TITLE
DUNKIN' BRANDS
[eat drink think]
PC# NEW

MIRACLE MILE
LEBANON, NH 03784
Grafton County

DRAWING TITLE
SCHEMATIC SITE DETAILS

DATE	PROJ NO
OCT 9, 2020	20044
DRAWN BY	CHECKED BY
AH	ECM

DRAWING NUMBER
5
SHEET 5 OF 14



REVISION NO.	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY
3	01/18/21	LAYOUT & PARKING REVISIONS	DPM	RJF	RJF
2	12/10/20	ADDITIONAL STAFF REVIEW COMMENTS	DPM	RJF	RJF
1	11/20/20	STAFF REVIEW COMMENTS	PAB	RJF	RJF

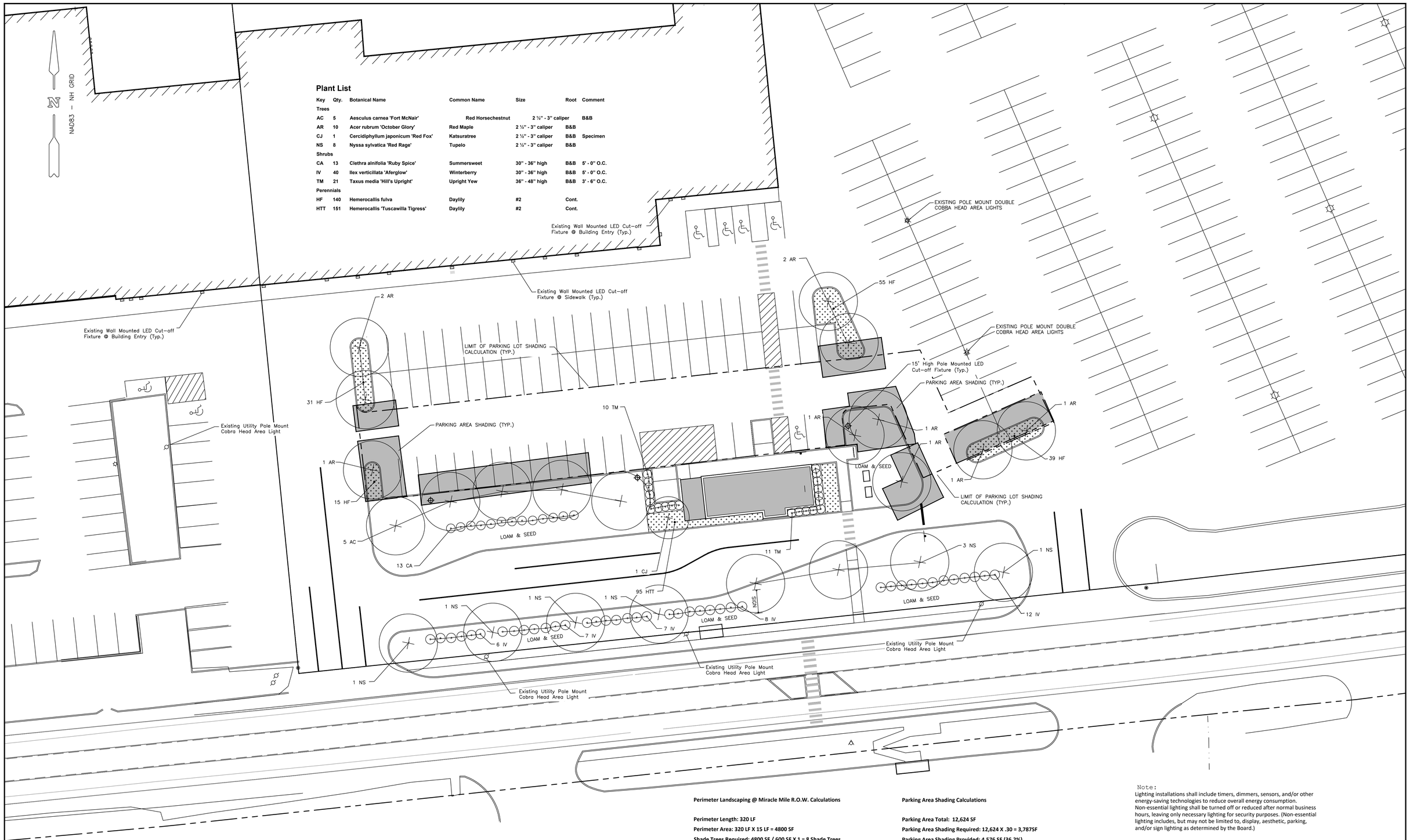
GRADING, DRAINAGE & UTILITY PLAN FOR

MIRACLE MILE REALTY, LLC - "DUNKIN DONUTS"

388 MIRACLE MILE – CITY OF LEBANON – GRAFTON COUNTY – NEW HAMPSHIRE

PATHWAYS CONSULTING, LLC
240 MECHANIC STREET, SUITE 100
LEBANON, NEW HAMPSHIRE 03766
(603) 448–2200

SCALE: AS SHOWN	6
DESIGNED BY: ANS/PAB	
DRAWN BY: PAB	
CHECKED BY: RJF	
DATE: 10/13/20	
PROJ. NO. 12777–01	SHEET 6 OF 14



Plant List

Key	Qty.	Botanical Name	Common Name	Size	Root	Comment
Trees						
AC	5	Aesculus carnea 'Fort McNair'	Red Horsechestnut	2 ½" - 3" caliper	B&B	
AR	10	Acer rubrum 'October Glory'	Red Maple	2 ½" - 3" caliper	B&B	
CJ	1	Cercidiphyllum japonicum 'Red Fox'	Katsuratree	2 ½" - 3" caliper	B&B	Specimen
NS	8	Nyssa sylvatica 'Red Rage'	Tupelo	2 ½" - 3" caliper	B&B	
Shrubs						
CA	13	Clethra alnifolia 'Ruby Spice'	Summersweet	30" - 36" high	B&B	5' - 0" O.C.
IV	40	Ilex verticillata 'Aferglow'	Winterberry	30" - 36" high	B&B	5' - 0" O.C.
TM	21	Taxus media 'Hill's Upright'	Upright Yew	36" - 48" high	B&B	3' - 6" O.C.
Perennials						
HF	140	Hemerocallis fulva	Daylily	#2	Cont.	
HTT	151	Hemerocallis 'Tuscawilla Tigress'	Daylily	#2	Cont.	

Perimeter Landscaping @ Miracle Mile R.O.W. Calculations

Perimeter Length: 320 LF

Perimeter Area: 320 LF X 15 LF = 4800 SF

Shade Trees Required: 4800 SF / 600 SF X 1 = 8 Shade Trees

Shrubs Required: 4800 SF / 600 SF X 5 = 40 Shrubs

Shade Trees Provided: 8 Shade Trees

Shrubs Provided: 40 Shrubs

Note: 0% Evergreen trees provided in perimeter buffer planting.

Parking Area Shading Calculations

Parking Area Total: 12,624 SF

Parking Area Shading Required: 12,624 X .30 = 3,787SF

Parking Area Shading Provided: 4,576 SF (36.2%)

Note:
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.)

REVISION NO.	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY
	01/18/21	LAYOUT & PARKING REVISIONS	PAB	RJF	RJF
	12/10/20	ADDITIONAL STAFF REVIEW COMMENTS	PAB	RJF	RJF
	11/20/20	STAFF REVIEW COMMENTS	PAB	RJF	RJF

LANDSCAPE PLAN FOR

MIRACLE MILE REALTY, LLC - "DUNKIN DONUTS"

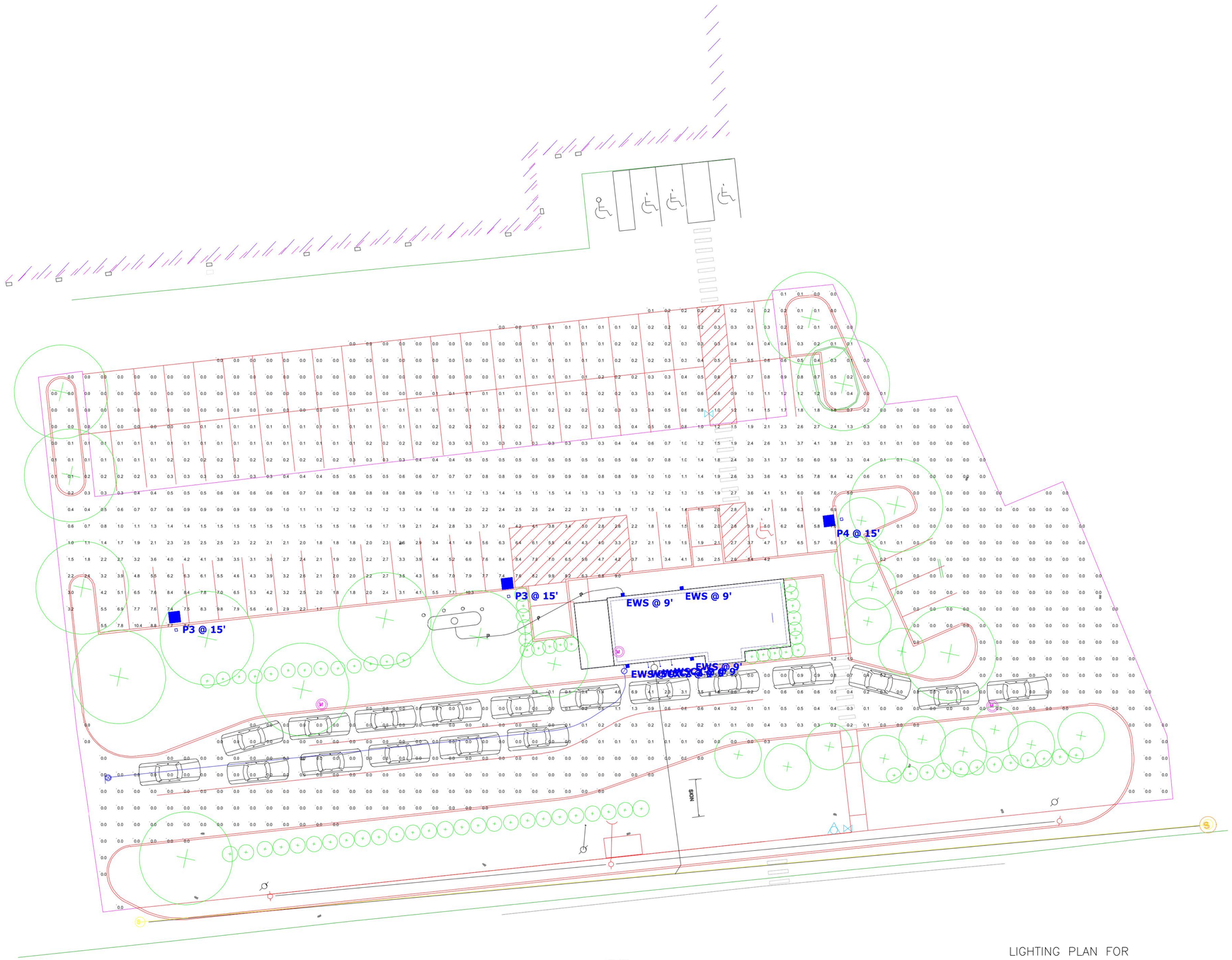
388 MIRACLE MILE – CITY OF LEBANON – GRAFTON COUNTY – NEW HAMPSHIRE

PATHWAYS CONSULTING, LLC
240 MECHANIC STREET, SUITE 100
LEBANON, NEW HAMPSHIRE 03766
(603) 448–2200

SCALE: AS SHOWN
DESIGNED BY: ANS
DRAWN BY: PAB
CHECKED BY: RJF
DATE: 10/13/20
PROJ. NO. 12777–01

7

SHEET 7 OF 14



Plan View
Scale - 1" = 10ft

LIGHTING PLAN FOR

MIRACLE MILE REALTY, LLC - "DUNKIN DONUTS"

388 MIRACLE MILE, CITY OF LEBANON, GRAFTON COUNTY, NEW HAMPSHIRE

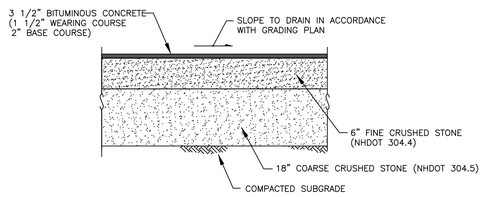
SHEET 8 OF 14

villa LIGHTING

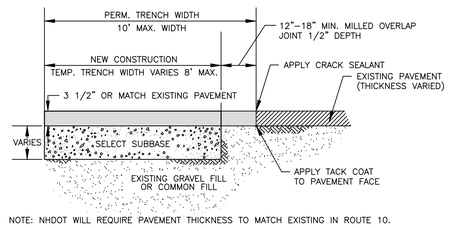
DUNKIN DONUTS - MIRACLE MILE - LEBANON, NH

Designer
Steve Breidenbach
Date
11/19/2020

1 of 2

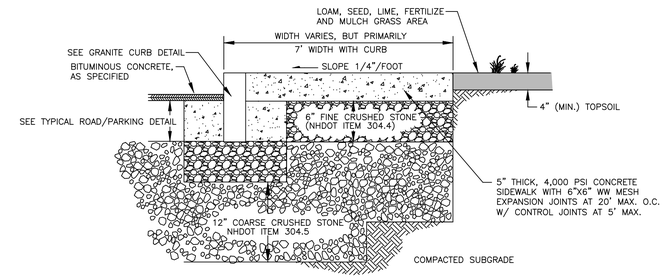


ACCESS ROAD & PARKING LOT
N.T.S.

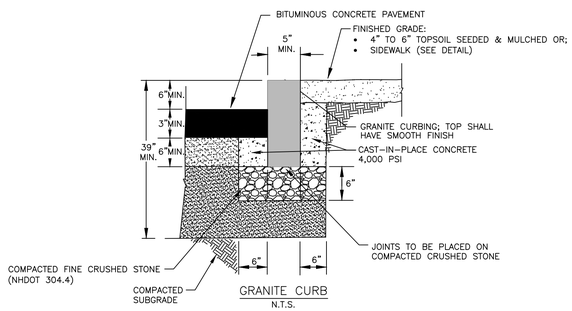


NOTE: NHDOT WILL REQUIRE PAVEMENT THICKNESS TO MATCH EXISTING IN ROUTE 10.

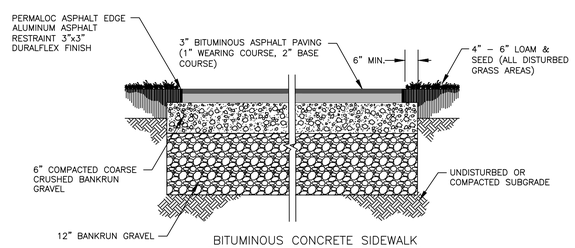
PAVEMENT SAWCUT & TRENCH PAVEMENT
N.T.S.



CONCRETE SIDEWALK
N.T.S.



GRANITE CURB
N.T.S.



BITUMINOUS CONCRETE SIDEWALK
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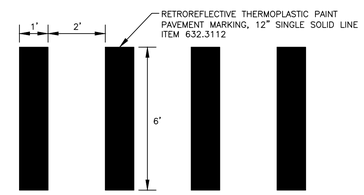
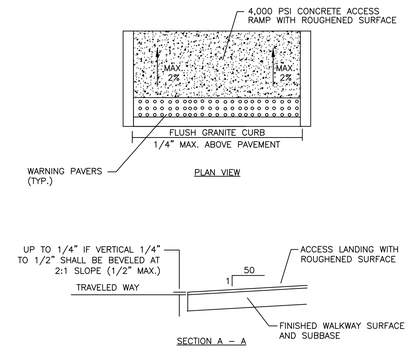
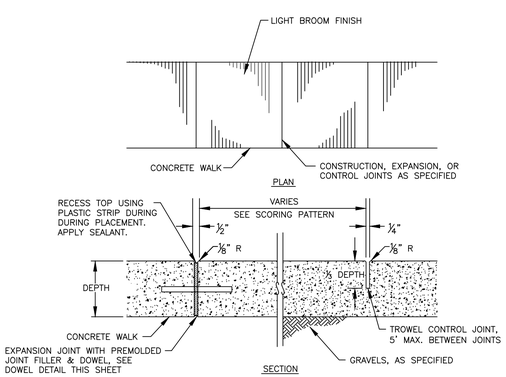


NOTES:
1. DETAIL CAN BE FIELD MODIFIED TO ELIMINATE A MARKING DIRECTLY IN A WHEEL PATH.

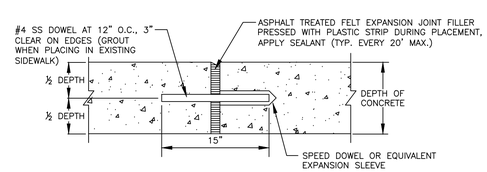
CROSSWALK DETAIL
N.T.S.



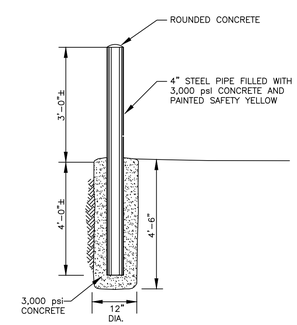
HANDICAP ACCESS RAMP DETAIL
N.T.S.



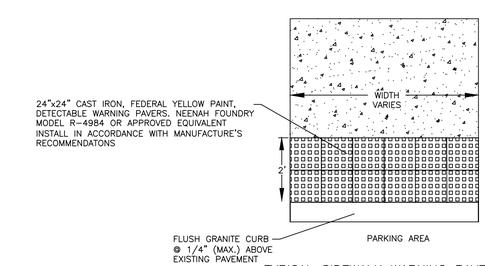
CONCRETE JOINT
N.T.S.



CONCRETE DOWEL
N.T.S.



BOLLARD
N.T.S.



TYPICAL SIDEWALK WARNING PAVERS

REVISION NO.	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY
	11/20/20	STAFF REVIEW COMMENTS	PAB	RJF	RJF

SITE DETAILS FOR

MIRACLE MILE REALTY, LLC - "DUNKIN DONUTS"

388 MIRACLE MILE – CITY OF LEBANON – GRAFTON COUNTY – NEW HAMPSHIRE

PATHWAYS CONSULTING, LLC
240 MECHANIC STREET, SUITE 100
LEBANON, NEW HAMPSHIRE 03766
(603) 448-2200

SCALE: N.T.S.	
DESIGNED BY: PAB	
DRAWN BY: PAB	
CHECKED BY: RJF	
DATE: 10/13/20	
PROJ. NO. 12777-01	SHEET 9 OF 14

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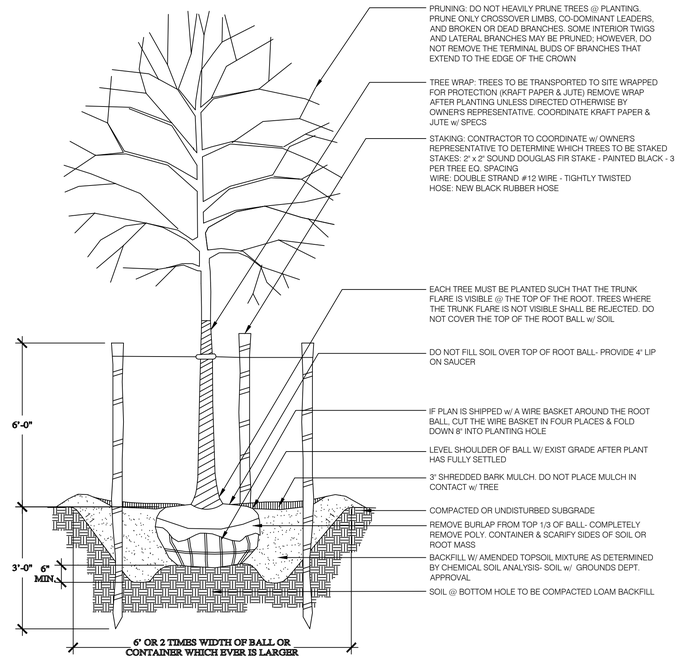
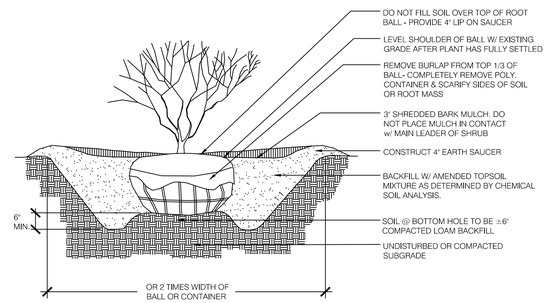


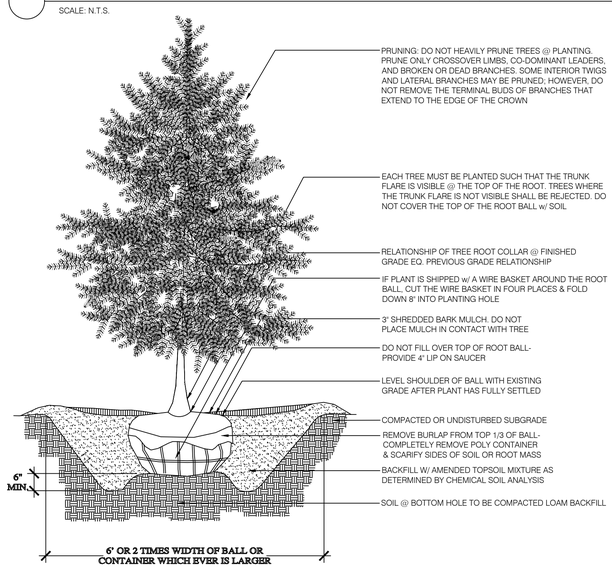
TYPICAL DECIDUOUS TREE PLANTING DETAILS

SCALE: N.T.S.



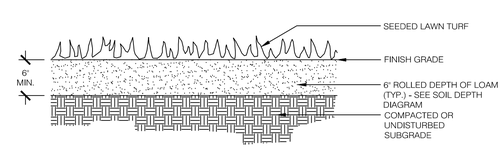
TYPICAL SHRUB PLANTING DETAIL

SCALE: N.T.S.



TYPICAL EVERGREEN TREE PLANTING

SCALE: N.T.S.



TYPICAL LOAM AND SEED DETAIL

SCALE: N.T.S.

PLANTING NOTES:

1. The Contractor shall review the written specifications for tree and shrub planting, groundcover & plants and seeding prior to submitting bid. No extraneous requirements have been included in the Specifications and Drawings. The Contractor shall also become familiar with existing and proposed site conditions prior to submitting bid.

2. The Contractor shall coordinate this work with other contractors performing work on the site.

3. The Contractor shall verify all grades, dimensions, and existing conditions and report any discrepancies to the Landscape Architect.

4. The Contractor shall locate and verify all existing and newly installed underground utilities prior to any lawn work or tree and shrub planting and shall immediately report any conflicts to the Landscape Architect.

5. The Contractor shall supply all plant material in quantities sufficient to complete the planting shown on the drawings. Quantities in Plant Schedule are for reference only.

6. All new plant material shall be nursery-grown stock and shall conform to guidelines established by the "American Standards for Nursery Stock" published by the American Association of Nurserymen: latest edition (ANSI Z60.1).

7. No plant or cultivar substitutions will be acceptable.

8. Plant material shall be inspected by Owner's Representative for acceptance prior to planting.

9. Locations of new plant material shall be staked or set out by Contractor and approved and faced by the Landscape Architect prior to planting.

10. Refer to Planting Details and Specifications for information relating to planting pit dimensions and extent and composition of backfill material.

11. The trees shall bear the same relationship to tree pit finish grade as to the original grade prior to digging.

12. The Contractor shall remove all plastic materials from around the root balls of the plants after positioning in the plant pits. Remove burlap, rope, and wire from around the trunks sufficiently so that no burlap, rope, or wire will be exposed after backfilling.

13. Contractor shall exercise extreme care in working in areas of existing trees. Existing plants to remain and be protected which are injured or destroyed during construction shall be replaced by Contractor with plants of equal size and species at no cost to the Owner.

14. All areas that have been disturbed by construction activity and not paved or occupied by site structures, etc., shall be topsoiled and seeded / reconditioned as specified.

15. The trees and shrubs shall be watered by the contractor twice during the first 24 hours of planting.

16. The plants shall be maintained by the contractor during the warranty period.

17. **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 n height.**

18. **Shrubs shall be planted as a mix, ranging from 50% to 70% flowering, with the remainder being evergreen. At the time of planting, all shrubs whether deciduous or evergreen, shall be 24 to 30 inches in height and/or 18 to 24 inches in spread.**

19. The Property Owner shall be responsible for maintaining all landscaping, to include grass and mulch, in a good, healthy condition so as to present a neat and orderly appearance. The Property Owner shall replace any unhealthy or dead plant materials in conformance with the landscape plan approved by the Board as part of the site plan.

20. After the issuance of a Certificate of Occupancy, the storage, display, or parking of motor vehicles, boats, mobile homes, trailers, or construction equipment within the landscaped areas, buffers, or screens, shown as such on the approved landscape plan, is expressly prohibited and a violation of the Notice of Action.

REVISION NO.	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY
	11/20/20	STAFF REVIEW COMMENTS	PAB	RJF	RJF

LANDSCAPE DETAILS FOR

MIRACLE MILE REALTY, LLC - "DUNKIN DONUTS"

388 MIRACLE MILE – CITY OF LEBANON – GRAFTON COUNTY – NEW HAMPSHIRE

PATHWAYS CONSULTING, LLC
240 MECHANIC STREET, SUITE 100
LEBANON, NEW HAMPSHIRE 03766
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SCALE: N.T.S.	
DESIGNED BY: ANS	
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DATE: 10/13/20	
PROJ. NO. 12777–01	SHEET 10 OF 14

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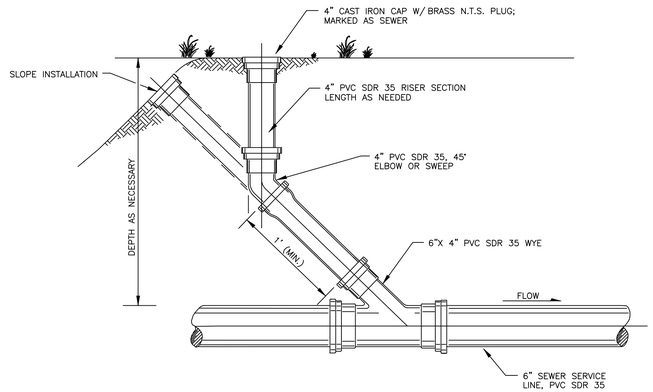
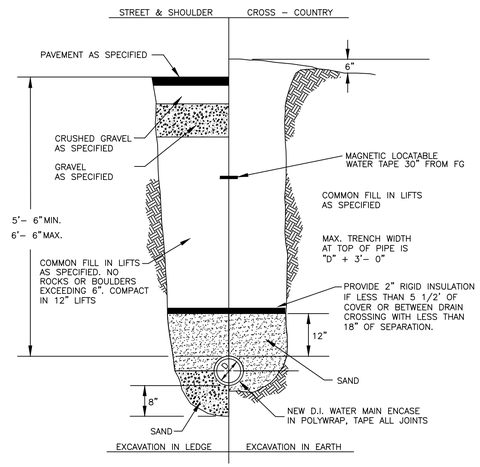


PVC SEWER SERVICE CLEANOUT
N.T.S.



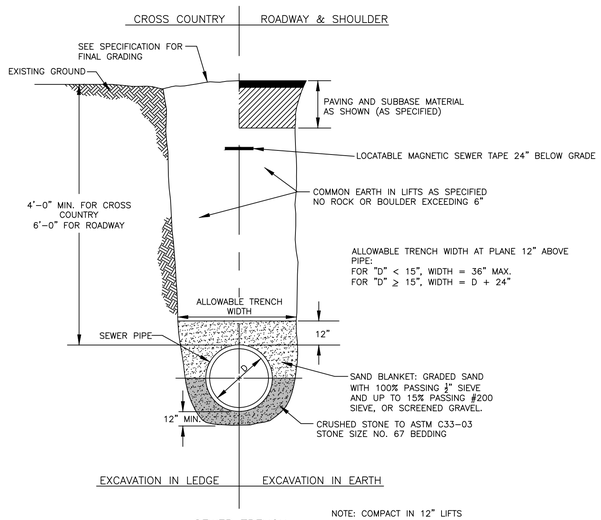
DUCTILE IRON WATER MAIN TRENCH
N.T.S.

THRUST BLOCK BEARING AREA IN SQ. FT.
(PRESSURE = 150 PSI, FACTOR OF SAFETY = 2.0)

FITTINGS	WET SILT & SOFT CLAY	SILT	SAND	COARSE SAND & GRAVEL	HARDPAN
16" TEE, CAP	60.3	30.2	20.1	15.1	12.1
1/4 BEND	85.3	42.7	28.4	21.3	17.1
1/8 BEND	46.2	23.1	15.4	11.5	9.2
1/16 BEND	23.5	11.8	7.8	5.9	4.7
1/32 BEND	11.8	5.9	3.9	3.0	2.4
12" TEE, CAP	33.9	17.0	11.3	8.5	6.8
1/4 BEND	48.0	24.0	16.0	12.0	9.6
1/8 BEND	26.0	13.0	8.7	6.5	5.2
1/16 BEND	13.2	6.6	4.4	3.3	2.6
1/32 BEND	6.7	3.3	2.2	1.7	1.5
10" TEE, CAP	23.6	11.8	7.9	5.9	4.7
1/4 BEND	33.3	16.7	11.1	8.3	6.7
1/8 BEND	18.0	9.0	6.0	4.5	3.6
1/16 BEND	9.2	4.6	3.1	2.3	1.8
1/32 BEND	4.6	2.3	1.5	1.5	1.5
8" TEE, CAP	15.1	7.5	5.0	3.8	3.0
1/4 BEND	21.3	10.7	7.1	5.3	4.3
1/8 BEND	11.5	5.8	3.8	2.9	2.3
1/16 BEND	5.9	2.9	2.0	1.5	1.5
1/32 BEND	3.0	1.5	1.5	1.5	1.5
6" TEE, CAP	8.5	4.2	2.8	2.1	1.7
1/4 BEND	12.0	6.0	4.0	3.0	2.4
1/8 BEND	6.5	3.2	2.2	1.6	1.3
1/16 BEND	3.3	1.7	1.1	1.0	1.0
1/32 BEND	1.7	1.0	1.0	1.0	1.0
4" TEE, CAP	3.8	1.9	1.3	0.9	0.8
1/4 BEND	5.3	2.7	1.8	1.3	1.5
1/8 BEND	2.9	1.4	1.0	0.7	0.6
1/16 BEND	1.5	0.7	0.5	0.5	0.5
1/32 BEND	0.7	0.5	0.5	0.5	0.5
3" TEE, CAP	2.1	1.1	0.7	0.5	0.5
1/4 BEND	3.0	1.5	1.0	0.7	0.6
1/8 BEND	1.6	0.8	0.5	0.5	0.5
1/16 BEND	0.8	0.5	0.5	0.5	0.5
1/32 BEND	0.5	0.5	0.5	0.5	0.5
2" TEE, CAP	0.9	0.5	0.5	0.5	0.5
1/4 BEND	1.3	0.7	0.5	0.5	0.5
1/8 BEND	0.7	0.5	0.5	0.5	0.5
1/16 BEND	0.5	0.5	0.5	0.5	0.5
1/32 BEND	0.5	0.5	0.5	0.5	0.5

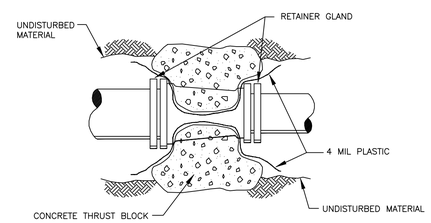
SOIL TYPE	BEARING CAPACITY (psf)
MUCK	–0–
WET SILT & SOFT CLAY	1000
SILT	2000
SAND	3000
COARSE SAND & GRAVEL	4000
HARDPAN	5000

NOTE:
OUTSIDE SEWER CLEANOUTS ARE NOT ALLOWED IN TOWN OF HANOVER

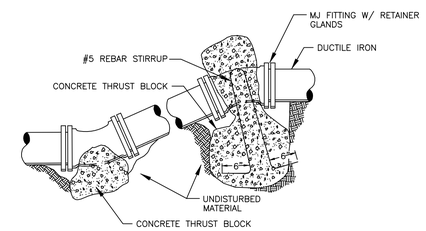


NOTE: COMPACT IN 12" LIFTS

SEWER TRENCH
N.T.S.

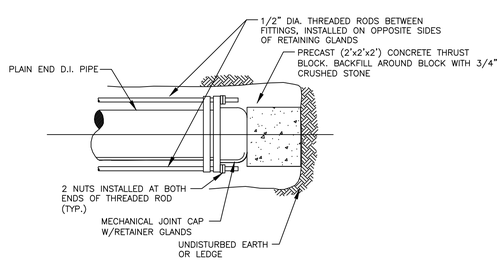


PLAN VIEW – M.J. REDUCER
N.T.S.



NOTE: EXTEND REINFORCED THRUST BLOCK 2' MINIMUM EITHER SIDE OF FITTING TO MAXIMIZE DOWN–PRESSURE EFFECT OF EARTH BACKFILL.

M.J. VERTICAL BENDS – ELEVATION
N.T.S.



M.J. CAP – PLAN VIEW
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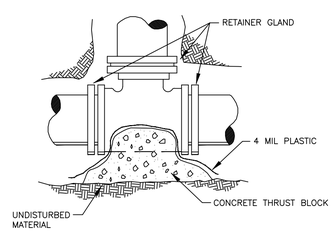

M.J. TEE
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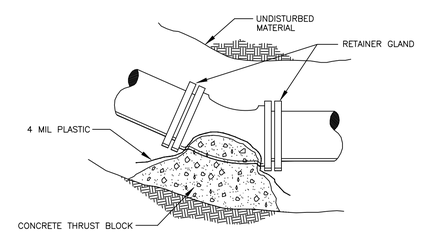


M.J. BEND
N.T.S.

NOTE: USE OF 3'X3'X1' PRECAST BLOCKS ON HORIZONTAL FITTINGS IS ACCEPTABLE. INFILL VOIDS AROUND BLOCKS WITH 3/4" STONE.

REVISION NO.	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY
	11/20/20	STAFF REVIEW COMMENTS	PAB	RJF	RJF

WATER & SEWER DETAILS FOR

MIRACLE MILE REALTY, LLC - "DUNKIN DONUTS"

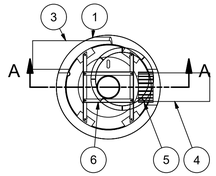
388 MIRACLE MILE – CITY OF LEBANON – GRAFTON COUNTY – NEW HAMPSHIRE

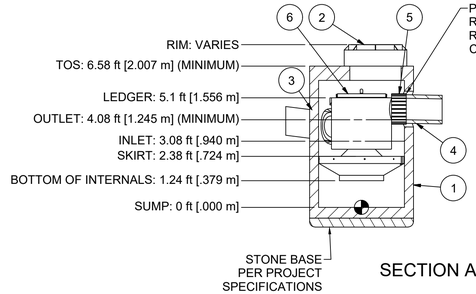
PATHWAYS CONSULTING, LLC
240 MECHANIC STREET, SUITE 100
LEBANON, NEW HAMPSHIRE 03766
(603) 448–2200

SCALE: N.T.S.
DESIGNED BY: PAB
DRAWN BY: PAB
CHECKED BY: RJF
DATE: 10/13/20
PROJ. NO. 12777–01

11

SHEET 11 OF 14





SECTION A-A

HYDRO FRAME AND COVER (INCLUDED)

GRADE RINGS BY OTHERS AS REQUIRED

NOTE: NOT FOR CONSTRUCTION. CONTACT HYDRO FOR SITE SPECIFIC DETAIL

DD SIZE	4' (1200 mm)	6' (1800 mm)	8' (2400 mm)	10' (3000 mm)	12' (3700 mm)
OUTLET STUB ID	12" (300 mm)	18" (450 mm)	24" (600 mm)	30" (750 mm)	36" (900 mm)
OUTLET STUB OD	12.5" (318 mm)	18.7" (475 mm)	24.8" (630 mm)	36" (900 mm)	42" (1050 mm)

EQUIPMENT PERFORMANCE

The stormwater treatment unit shall adhere to the hydraulic parameters given in the chart below and provide the removal efficiencies and storage capacities as follows:

1. The treatment system shall use an induced vortex to separate pollutants from stormwater runoff.
2. Peak Hydraulic Capacity: 3.0 cfs (85 l/s)
3. Sediment Storage Capacity: 0.70 cu. yd. (0.53 cu. m)
4. Continuous Oil Storage Capacity: 70 gal. (265 liters)
5. Sediment shall be stored in a zone that is isolated from the main flow path and protected from reintrainment by a benching skirt.
6. OK-110 110 micron 80% TSS removal 1.56 cfs (44.2 l/s) (NJDEP Test Protocol)

PARTS LIST

ITEM	QTY	SIZE (in)	SIZE (mm)	DESCRIPTION
1	1	48	1200	PRECAST MANHOLE (BY HYDRO VIA PRECASTER)
2	1	30	750	FRAME AND COVER
3	1	12 (MAX)	300 (MAX)	INLET PIPE (BY OTHERS)
4	1	12 (MAX)	300 (MAX)	OUTLET PIPE (BY OTHERS)
5	1			PIPE COUPLING (BY OTHERS)
6	1			INTERNAL COMPONENTS (PRE-INTALLED)

ANY WARRANTY GIVEN BY HYDRO INTERNATIONAL WILL APPLY ONLY TO THOSE ITEMS SUPPLIED BY IT. ACCORDINGLY HYDRO INTERNATIONAL CANNOT ACCEPT ANY RESPONSIBILITY FOR ANY STRUCTURE, PLANT, OR EQUIPMENT, (OR THE PERFORMANCE THERE OF) DESIGNED, BUILT, MANUFACTURED, OR SUPPLIED BY ANY THIRD PARTY. HYDRO INTERNATIONAL HAVE A POLICY OF CONTINUOUS DEVELOPMENT AND RESERVE THE RIGHT TO AMEND THE SPECIFICATION. HYDRO INTERNATIONAL CANNOT ACCEPT LIABILITY FOR PERFORMANCE OF ITS EQUIPMENT, (OR ANY PART THEREOF), IF THE EQUIPMENT IS SUBJECT TO CONDITIONS OUTSIDE ANY DESIGN SPECIFICATION. HYDRO INTERNATIONAL OWNS THE COPYRIGHT OF THIS DRAWING, WHICH IS SUPPLIED IN CONFIDENCE. IT MUST NOT BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SUPPLIED AND MUST NOT BE REPRODUCED, IN WHOLE OR IN PART, WITHOUT PRIOR PERMISSION IN WRITING FROM HYDRO INTERNATIONAL.
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DO NOT SCALE DRAWING

UNLESS OTHERWISE SPECIFIED, DIMENSIONS ARE IN INCHES. TOLERENCES ARE:

FRACTIONS ± 1/16
DECIMALS ± .06
ANGLES ± 1°

PROJECTION

COMMENTS:
1. MANHOLE WALL AND SLAB THICKNESSES ARE NOT TO SCALE.
2. CONTACT HYDRO INTERNATIONAL FOR A BOTTOM OF STRUCTURE ELEVATION PRIOR TO SETTING DOWNSTREAM DEFENDER MANHOLE.
3. CONTRACTOR TO CONFIRM RIM, PIPE INVERTS, PIPE DIA. AND PIPE ORIENTATION PRIOR TO RELEASE OF UNIT TO FABRICATION.

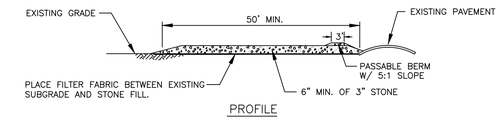
REVISION HISTORY

REV	BY	DESCRIPTION	DATE
-		FIRST RELEASE	

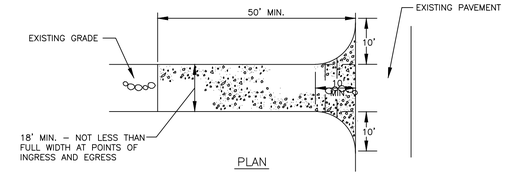
DATE: 6/3/2019 | SCALE: 1:30
DRAWN BY: ER | CHECKED BY: MRJ | APPROVED BY
Title: 4-ft DIAMETER DOWNSTREAM DEFENDER

Hydro International
94 Hutchins Drive
Portland, ME 04102
Tel: +1 (207) 756-6200
Fax: +1 (207) 756-6212
hydro-int.com

APPROX WEIGHT: N/A | MATERIAL:
NEXT ASSEMBLY: 12-34567-NEXT ASSY
DRAWING NO.: 12-34567-DD GA
SHEET SIZE: B | SHEET: 1 OF 3 | Rev: -



PROFILE



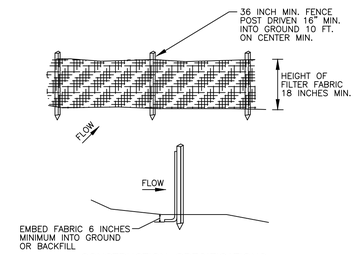
PLAN

NOTES:

1.) MAINTAIN ENTRANCE TO PREVENT TRACKING OF SEDIMENT INTO PUBLIC R.O.W.. REDUCE TRACKING OF SILTS ONTO PUBLIC R.O.W. BY CLEANING OR TOP DRESSING STONE FILL.
2.) PROVIDE SEPARATE WHEEL CLEANING AREA WITH SUITABLE SEDIMENTATION BASIN, AS NEEDED.

STABILIZED CONSTRUCTION ENTRANCE

N.T.S.

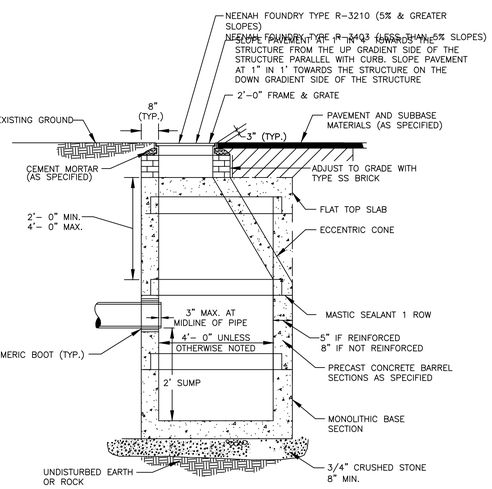


CONSTRUCTION SPECIFICATIONS

1. SILT FENCE MAY BE EITHER PREMANUFACTURED OR PREPARED ON SITE. INSTALLATION SHALL BE IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS.
2. SILT FENCE SHALL BE LOCATED AS SHOWN ON THE PLAN AND WHEREVER CONSTRUCTION ACTIVITIES MAY RESULT IN A TEMPORARY RUNOFF TO A STREAM OR WETLAND WHICH MAY CARRY SILT OR SEDIMENT.
3. THE TRENCH SHALL BE TOED IN PLACE BY PLACEMENT IN A 6 INCH TRENCH AND BACKFILLING WITH A SUITABLE MATERIAL.
4. WHEN A TRENCH CANNOT BE CONSTRUCTED, THE FABRIC MAY BE FOLDED AT THE BASE IN A MANNER SUCH THAT A MINIMUM OF 6 INCHES OF FABRIC LIES ON THE GROUND TOWARD THE DIRECTION OF FLOW. THE FOLDED FABRIC SHALL BE COVERED TO A DEPTH OF 6 INCHES WITH SUITABLE MATERIAL EXTENDING A MINIMUM OF 4 INCHES BEYOND THE FABRIC.
5. SUPPORTING STAKES SHALL BE PLACED NO MORE THAN 10 FEET APART.
6. MAINTENANCE SHALL BE PERFORMED AS NEEDED. FENCING SHALL BE REPLACED WHEN TORN. WHEN TRENCHING IS DISTURBED, WHEN THE FENCE DISPLAYS PLUGGING AS EVIDENCED BY SILT-LADEN APPEARANCE, WHEN WATER IS EXCESSIVELY RETARDED BY THE FENCE, OR WHENEVER "BULGES" APPEAR.

SILT FENCE

N.T.S.



PRECAST CONCRETE CATCH BASIN

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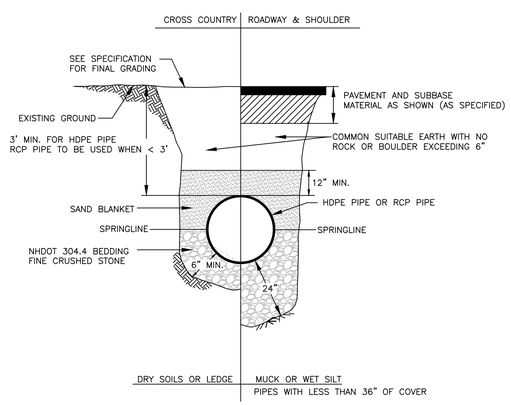
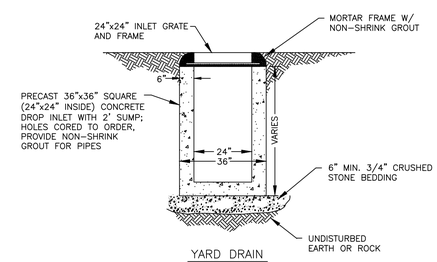


DRAINAGE TRENCH

N.T.S.



YARD DRAIN

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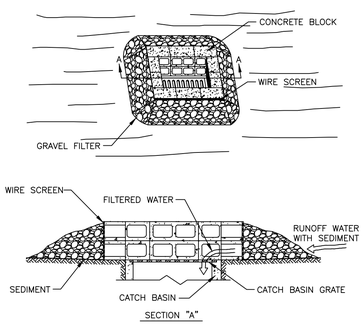


BLOCK & STONE INLET SEDIMENT FILTER DETAIL

N.T.S.

REVISION NO.	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY
	11/20/20	STAFF REVIEW COMMENTS	PAB	RJF	RJF

DRAINAGE & EROSION CONTROL DETAILS FOR

MIRACLE MILE REALTY, LLC - "DUNKIN DONUTS"

388 MIRACLE MILE – CITY OF LEBANON – GRAFTON COUNTY – NEW HAMPSHIRE

PATHWAYS CONSULTING, LLC
240 MECHANIC STREET, SUITE 100
LEBANON, NEW HAMPSHIRE 03766
(603) 448-2200

SCALE: N.T.S.
DESIGNED BY: PAB
DRAWN BY: PAB
CHECKED BY: RJF
DATE: 10/13/20
PROJ. NO. 12777-01

12

SHEET 12 OF 14

EROSION CONTROL SPECIFICATIONS

1. SOIL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN ACCORDANCE WITH "NEW HAMPSHIRE STORMWATER MANAGEMENT", VOLUMES 1, 2, & 3, DECEMBER 2008 (OR LATEST EDITION). THE CONTRACTOR SHALL HAVE REFERENCE TO THESE PUBLICATIONS.
2. IMMEDIATE ATTENTION TO EROSION CONTROL PRACTICES DRAMATICALLY IMPROVES SOIL AND MOISTURE CONSERVATION AND REDUCES NEGATIVE IMPACTS ON WATER QUALITY. THE CONTRACTOR SHALL GIVE PRIORITY TO THE TIMELY INSTALLATION OF BOTH TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL MEASURES.
3. THE EROSION AND SEDIMENT CONTROL PRACTICES SHOWN ON THIS PLAN ARE THE MINIMUM REQUIRED FOR ANTICIPATED SITE CONDITIONS. DURING THE CONSTRUCTION PERIOD, THESE PRACTICES SHALL BE UPGRADED AS NEEDED FOR UNEXPECTED STORM EVENTS AND MODIFIED TO ACCOUNT FOR CHANGING SITE CONDITIONS.
4. THE BOUNDARIES OF THE CLEARING LIMITS SHOWN ON THE PLANS SHALL BE CLEARLY FLAGGED BY SURVEY TAPE OR FENCING, IF REQUIRED, PRIOR TO CONSTRUCTION. DURING THE CONSTRUCTION PERIOD, NO DISTURBANCE BEYOND THE CLEARING LIMITS SHALL BE PERMITTED. THE CLEARING LIMITS SHALL BE MAINTAINED FOR THE DURATION OF CONSTRUCTION.
5. THE SMALLEST PRACTICAL AREA SHALL BE DISTURBED DURING CONSTRUCTION, BUT SHALL NOT EXCEED 5 ACRES AT ANY ONE TIME BEFORE STABILIZATION. A CONSTRUCTION SEQUENCE HAS BEEN DEVELOPED TO FACILITATE INSTALLATION OF EROSION CONTROL MEASURES AND THE COMPLETION OF GRADING, SEEDING, AND LANDSCAPING AS SOON AS POSSIBLE WITHIN A DISTURBED AREA.
6. STABILIZED CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT THE BEGINNING OF CONSTRUCTION AND MAINTAINED FOR THE DURATION OF THE PROJECT. ADDITIONAL MEASURES, SUCH AS CONSTRUCTED WHEEL WASH SYSTEMS OR WASH PADS, MAY BE REQUIRED TO ENSURE THAT ALL PAVED AREAS ARE KEPT CLEAN AND TRACK OUT TO ROAD RIGHT OF WAY DOES NOT OCCUR FOR THE DURATION OF THE PROJECT.
7. EARTH STOCKPILES SHALL BE SEEDED AND MULCHED AND HAVE A SILT FENCE INSTALLED ON THE DOWNSLOPE SIDE.
8. INSTALL EROSION CONTROL MEASURES AS SHOWN. CLEAN ACCUMULATED SEDIMENT AS NECESSARY. LEAVE IN PLACE UNTIL DISTURBED AREAS HAVE BEEN ADEQUATELY STABILIZED. DISTURBED AREAS RESULTING FROM SILT FENCE REMOVAL SHALL BE PERMANENTLY SEEDED.
9. CUT AND FILL SLOPES CALL FOR INTENSIVE EROSION CONTROL MEASURES. INSTALL MULCH NETTING AS SHOWN ON ALL SLOPES 3:1 (1 RISE ON 3 RUN) AND STEEPER. ALL CUT AND FILL SLOPES SHALL BE SEEDED AND MULCHED WITHIN 72 HOURS OF THEIR CONSTRUCTION.
10. ALL DISTURBED AREAS SHALL HAVE TOPSOIL SPREAD (4" MINIMUM) AND BE LIMED, FERTILIZED, TILLED, SEEDED AND MULCHED (WITH ANCHORED NETTING IF REQUIRED) WITHIN 72 HOURS OF FINAL GRADING. ALL ROADWAYS AND PARKING AREAS SHALL BE STABILIZED WITHIN 72 HOURS OF ACHIEVING FINISHED GRADE. WHEN PERMANENT SEEDING CANNOT BE INSTALLED BY SEPTEMBER 15, TEMPORARY SEEDING AND MULCHING OF ALL DISTURBED AREAS SHALL BE INSTALLED IMMEDIATELY AND MAINTAINED IN THAT CONDITION UNTIL PERMANENT MEASURES CAN BE INSTALLED IN THE FOLLOWING PLANTING SEASON.
11. TEMPORARY STABILIZATION OF DISTURBED AREAS:

SEED BED PREPARATION:	TILL THREE INCHES DEEP MIXING IN FERTILIZER. APPLY 2 TONS/ACRE (100#/1,000 SQ. FT.)
FERTILIZE:	UNIFORMLY APPLY NOT LESS THAN 300#/ACRE (7#/1,000 SQ. FT.) OF 10–20–20 OR EQUIVALENT.
SEEDING:	SELECT APPROPRIATE SEEDING MIXTURE FROM TABLE 1 BELOW. SPREAD SEED UNIFORMLY. FIRM SOIL BY ROLLING OR PACKING; IF NOT FEASIBLE, THEN RAKE LIGHTLY TO COVER SEEDS.
MULCHING:	MULCH ALL DISTURBED AREAS WITH 1–½ TO 2 TONS OF HAY OR STRAW PER ACRE (70–90#/1,000 SQ. FT.). ANCHOR ON ALL SLOPES 3:1 OR STEEPER AND ON SLOPES SUBJECT TO WASH OR WIND BLOWN CONDITIONS. JUTE OR OTHER BIODEGRADABLE NETTING, STAKING AND STABLING MAY BE REQUIRED.

TABLE 1
PLANT SELECTION AND SEEDING RATES

SPECIES	PER ACRE	PER 1,000 SQ.FT.	REMARKS
WINTER RYE	2 BU OR 112 LBS.	2.5 LBS.	BEST FOR FALL SEEDING. SEED AUGUST 15 TO SEPTEMBER 15 FOR BEST COVER. SEED TO DEPTH OF ONE INCH.
OATS	2 1/2 BU OR 80 LBS.	2 LBS.	BEST FOR SPRING SEEDINGS. LATER THAN MAY 15 FOR SUMMER PROTECTION. SEED TO DEPTH OF ONE INCH.
ANNUAL RYE	40 LBS.	1 LB.	GROWS QUICKLY, BUT IS OF SHORT GRASS DURATION. USE WHERE APPEARANCES ARE IMPORTANT. COVER SEED WITH NO MORE THAN 1/4 INCH OF SOIL. WITH MULCH, SEEDING MAY BE DONE THROUGHOUT GROWING SEASON. OTHERWISE SEED EARLY SPRING OR BETWEEN AUGUST 15 & SEPTEMBER 15.

12. PERMANENT STABILIZATION OF DISTURBED AREAS:

SEED BED PREPARATION:	TOPSOIL (SANDY LOAM, LOAM, OR SILT LOAM), FRIABLE, FREE OF STUMPS, WOOD, AND ROOTS. STONES MORE THAN 1–½ INCHES IN DIAMETER OR LENGTH SHALL BE PLACED OVER ALL DISTURBED AREAS IN A 4" (MINIMUM) THICK LAYER. TOPSOIL SHALL BE FREE OF HERBICIDES AND TOXIC MATERIALS. TILL THREE INCHES DEEP, MIXING IN THE FERTILIZER AND LIME.
FERTILIZE:	UNIFORMLY APPLY NOT LESS THAN 500#/ACRE (12#/1,000 SQ. FT.) OF 10–20–20 OR EQUIVALENT.
SEEDING:	SPREAD SEED UNIFORMLY. FIRM SOIL BY ROLLING OR PACKING; IF NOT FEASIBLE, THEN RAKE LIGHTLY TO COVER SEEDS.
MULCHING:	MULCH ALL DISTURBED AREAS WITH 1–½ TO 2 TONS OF HAY OR STRAW PER ACRE (70–90#/1,000 SQ. FT.). USE STRAW MULCH ON PERMANENT SEEDING OF LAWNS. USE HAY MULCH FOR SLOPES AND PERIMETER. ANCHOR ON ALL SLOPES 3:1 OR STEEPER AND ON SLOPES SUBJECT TO WASH OR WIND BLOWN CONDITIONS. JUTE OR OTHER BIODEGRADABLE NETTING, STAKING AND STAPLING MAY BE REQUIRED.

GRASS MATERIALS (SHADY GENERAL LAWN MIX)

GRASS SEED SHALL BE FRESH, CLEAN, NEW–CROP SEED AND SHALL MEET THE PROVISIONS OF THE NEW HAMPSHIRE AGRICULTURAL AND VEGETABLE SEEDS LAW. SEED SPECIFIED IN THIS SECTION SHALL MEET THE FOLLOWING ANALYSIS:

	LBS/ACRE
CHEWING FESCUE 'SR 5000'	40
CHAMPION PERENNIAL RYE GRASS	30
HARD FESCUE 'SR 3000'	25
RED FESCUE – 'PENNLAWN'	25
BLUEGRASS – 'GLADE'	10
	130 LBS/ACRE

GRASS MATERIALS SLOPES (CONSERVATION MIX)

OTHER SEED MIXTURES AND SEEDING RATES AS RECOMMENDED BY THE USDA – SOIL CONSERVATION SERVICE AND APPROVED BY OWNER MAY BE UTILIZED ONLY UPON PRIOR WRITTEN PERMISSION FROM THE ENGINEER.

13. SEEDING MIXTURES FOR GRASSED TREATMENT SWALES AS SPECIFIED BY THE USDA SOIL CONSERVATION SERVICE, WOODSVILLE, N.H. ARE:

TABLE 0
SEEDING RATES

MIXTURE	POUNDS PER ACRE	POUNDS PER 1,000 SQ.FT.
A. TALL FESCUE	20	0.45
CREEPING RED FESCUE	20	0.45
RED TOP	2	0.05
TOTAL	42	0.95

SITE PREPARATION, LIME, FERTILIZER, SEED AND MULCH SHALL BE AS IN ITEM 11 ABOVE.

14. MAINTENANCE: DURING THE CONSTRUCTION PERIOD UNTIL SUCH TIME AS LONG TERM VEGETATION IS ESTABLISHED.
    A. DISTURBED AREAS WILL BE FERTILIZED AND RESEEDED.
    B. CATCH BASINS WILL BE CHECKED AND CLEANED AS NECESSARY.
    C. DRAINAGE AND GRASS TREATMENT SWALES SHALL BE CHECKED FREQUENTLY AND CLEANED AS REQUIRED.
    D. THE SILT FENCES AND HAYBALE DIKES WILL BE CHECKED ON A REGULAR BASIS AND REPAIRED AS NECESSARY TO CORRECT ANY DAMAGE, DETERIORATION, AND SHORT CIRCUITING.
    E. THE BOTTOM OF SEDIMENT BASINS SHALL BE PERIODICALLY CLEANED, WITH THE SEDIMENT REMOVED TO A SECURE LOCATION.
15. SITE VISITS: THE ENGINEER SHALL BE CONTACTED ON A REGULAR BASIS TO OBSERVE THE INSTALLATION AND MAINTENANCE OF EROSION AND SEDIMENT CONTROL PRACTICES. REFER TO CONSTRUCTION SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS. EROSION CONTROL PRACTICES SHALL BE IN STRICT ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS.
16. ALL PERMANENT DITCHES, SWALES, DETENTION, RETENTION AND SEDIMENTATION BASINS TO BE STABILIZED USING THE VEGETATIVE AND NON–STRUCTURAL BMPS SHALL BE STABILIZED PRIOR TO DIRECTING RUNOFF TO THEM.
17. THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROLS WEEKLY AND AFTER EVERY 0.5" RAINFALL. ALL DAMAGED SILT FENCES SHALL BE REPAIRED. SEDIMENT DEPOSITS SHALL BE REMOVED AS NECESSARY.
18. STABILIZATION MEASURES MUST BE INITIATED AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY CEASED, BUT IN NO CASE MORE THAN 14 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY CEASED.
19. AN AREA SHALL BE CONSIDERED STABLE IF ONE OF THE FOLLOWING HAS OCCURRED:
    A. BASE COURSE GRAVELS HAVE BEEN INSTALLED IN AREAS TO BE PAVED.
    B. A MINIMUM OF 85% VEGETATED GROWTH HAS BEEN ESTABLISHED.
    C. A MINIMUM OF 3" OF NON–EROSIVE MATERIAL SUCH AS STONE OR RIPRAP HAS BEEN INSTALLED; OR
    D. EROSION CONTROL BLANKETS HAVE BEEN PROPERLY INSTALLED.

WINTER CONSTRUCTION NOTES

FOR SITE WORK CONSTRUCTION BETWEEN OCTOBER 15TH AND MAY 15 THE CONTRACTOR SHALL FOLLOW WINTER CONSTRUCTION EROSION PROTECTION METHODS AS DESCRIBED BELOW:

1. CHECK ALL PERIMETER EROSION CONTROL MEASURES AND COMPLETE ANY REQUIRED MAINTENANCE AND REPAIR BEFORE THE GROUND FREEZES.
2. PUT IN PLACE ANY ADDITIONALLY NECESSARY EROSION CONTROL MEASURES; DIVERSION DIKES, HAY BALES, SILT FENCE, SEDIMENT TRAPS AND/OR BASINS, ETC. TO PROTECT DOWNSTREAM WATER QUALITY FROM ANTICIPATED WINTER WORK PRIOR TO GROUND FREEZING.
3. THE AREA OF EXPOSED, UNSTABILIZED SOIL SHOULD BE LIMITED TO ONE ACRE. GENERALLY, THE EXPOSED AREA SHOULD BE LIMITED TO ONLY THOSE AREAS IN WHICH WORK WILL OCCUR DURING THE FOLLOWING 15 DAYS AND SHOULD BE PROTECTED AGAINST EROSION BY THE METHODS DESCRIBED IN THIS SECTION PRIOR TO ANY SNOW, RAINFALL, THAW OR SPRING MELT EVENT. SUBJECT TO APPLICABLE REGULATIONS, THE ALLOWABLE AREA OF EXPOSED SOIL MAY BE INCREASED IF ACTIVITIES ARE CONDUCTED ACCORDING TO A WINTER CONSTRUCTION PLAN, DEVELOPED BY A PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF NEW HAMPSHIRE OR A CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL AS CERTIFIED BY THE CSPESC COUNCIL OF ENVIROCERT INTERNATIONAL, INC.
4. SUBSEQUENT WORK AREAS SHOULD NOT BE EXPOSED UNTIL THE PREVIOUSLY EXPOSED WORK ARE HAS BEEN FULLY STABILIZED
5. STABILIZATION AS FOLLOWS SHOULD BE COMPLETED WITHIN A DAY OF ESTABLISHING THE GRADE THAT IS FINAL OR THAT OTHERWISE WILL EXIST FOR MORE THAN 5 DAYS:
   - ALL PROPOSED VEGETATED AREAS HAVING A SLOPE OF LESS THAN 15% WHICH DO NOT EXHIBIT A MINIMUM OF 85% VEGETATIVE GROWTH BY OCTOBER 15TH, OR WHICH ARE DISTURBED AFTER OCTOBER 15TH, SHOULD BE SEEDED AND COVERED WITH 3 TO 4 TONS OF HAY OR STRAW MULCH PER ACRE SECURED WITH ANCHORED NETTING, OR 2 INCHES OF EROSION CONTROL MIX.
   - ALL PROPOSED VEGETATED AREAS HAVING A SLOPE OF GREATER THAN 15% WHICH DO NOT EXHIBIT A MINIMUM OF 85% VEGETATIVE GROWTH BY OCTOBER 15TH, OR WHICH ARE DISTURBED AFTER OCTOBER 15TH, SHOULD BE SEEDED AND COVERED WITH A PROPERLY INSTALLED AND ANCHORED EROSION CONTROL BLANKET OR WITH A MINIMUM 4 INCH THICKNESS OF EROSION CONTROL MIX, UNLESS OTHERWISE SPECIFIED BY THE MANUFACTURER. NOTE THAT COMPOST BLANKETS SHOULD NOT EXCEED 2 INCHES IN THICKNESS OR THEY MAY OVERHEAT.
6. ALL STONE–COVERED SLOPES MUST BE CONSTRUCTED AND STABILIZED BY OCTOBER 15.
7. INSTALLATION OF ANCHORED HAY MULCH OR EROSION CONTROL MIX SHOULD NOT OCCUR OVER SNOW OF GREATER THAN ONE INCH IN DEPTH.
8. ALL MULCH APPLIED DURING WINTER SHOULD BE ANCHORED (E.G., BY NETTING, TRACKING, WOOD CELLULOSE FIBER).
9. STOCKPILES OF SOIL MATERIALS SHOULD BE MULCHED FOR OVER WINTER PROTECTION WITH HAY OR STRAW AT TWICE THE NORMAL RATE OR WITH A FOUR–INCH LAYER OF EROSION CONTROL MIX. MULCHING SHOULD BE DONE WITHIN 24 HOURS OF STOCKING, AND RE–ESTABLISHED PRIOR TO ANY RAINFALL OR SNOWFALL. NO SOIL STOCKPILE SHOULD BE PLACED (EVEN COVERED WITH MULCH) WITHIN 100 FEET FROM ANY WETLAND OR OTHER WATER RESOURCE AREA.
10. FROZEN MATERIALS, (E.G., FROST LAYER THAT IS REMOVED DURING WINTER CONSTRUCTION), SHOULD BE STOCKPILED SEPARATELY AND IN A LOCATION THAT IS AWAY FROM ANY AREA NEEDING TO BE PROTECTED. STOCKPILES OF FROZEN MATERIAL CAN MELT IN THE SPRING AND BECOME UNWORKABLE AND DIFFICULT TO TRANSPORT DUE TO THE HIGH MOISTURE CONTENT IN THE SOIL.
11. INSTALLATION OF EROSION CONTROL BLANKETS SHOULD NOT OCCUR OVER SNOW OF GREATER THAN ONE INCH IN DEPTH OR ON FROZEN GROUND.
12. ALL GRASS–LINED DITCHES AND CHANNELS SHOULD BE CONSTRUCTED AND STABILIZED BY SEPTEMBER 1. ALL DITCHES OR SWALES WHICH DO NOT EXHIBIT A MINIMUM OF 85% VEGETATIVE GROWTH BY OCTOBER 15TH, OR WHICH ARE DISTURBED AFTER OCTOBER 15TH, SHOULD BE STABILIZED TEMPORARILY WITH STONE OR EROSION CONTROL BLANKETS APPROPRIATE FOR THE DESIGN FLOW CONDITIONS, AS DETERMINED BY A QUALIFIED PROFESSIONAL ENGINEER OR A CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL AS CERTIFIED BY THE CSPESC COUNCIL OF ENVIROCERT INTERNATIONAL, INC. IF A STONE LINING IS NECESSARY, THE CONTRACTOR MAY NEED TO RE–GRADE THE DITCH AS REQUIRED TO PROVIDE ADEQUATE CROSS–SECTION AFTER ALLOWING FOR PLACEMENT OF THE STONE.
13. ALL STONE–LINED DITCHES AND CHANNELS MUST BE CONSTRUCTED AND STABILIZED BY OCTOBER 15.
14. AFTER OCTOBER 15TH, INCOMPLETE ROAD OR PARKING AREAS WHERE ACTIVE CONSTRUCTION OF THE ROAD OR PARKING AREA HAS STOPPED FOR THE WINTER SEASON SHOULD BE PROTECTED WITH A MINIMUM 3 INCH LAYER OF SAND AND GRAVEL WITH A GRADATION SUCH THAT LESS THAN 12% OF THE SAND PORTION, OR MATERIAL PASSING THE NUMBER 4 SIEVE, BY WEIGHT, PASSES THE NUMBER 200 SIEVE.
15. SEDIMENT BARRIERS THAT ARE INSTALLED DURING FROZEN CONDITIONS SHOULD CONSIST OF COMPOST SOCKS, EROSION CONTROL MIX BERMS, OR CONTINUOUS CONTAINED BERMS. SILT FENCES SHOULD NOT BE INSTALLED WHEN FROZEN CONDITIONS PREVENT PROPER EMBEDMENT OF THESE BARRIERS.
16. INSPECT THE EROSION AND SEDIMENT CONTROL MEASURES MORE FREQUENTLY THAN IS SPECIFIED IN THE EROSION CONTROL INSPECTION, MONITORING, AND MAINTENANCE SPECIFICATIONS FOUND ON THIS SHEET DURING THE WINTER AND SPRING THAW MONTHS TO PREVENT FAILURE AND/OR OVERLOADING.
17. BEFORE PREDICTED THAWS AND/OR HEAVY RAIN EVENTS CHECK ALL MEASURES TO ENSURE THAT THEY WILL BE ABLE TO HANDLE POTENTIALLY HEAVY AND INTENSE RUNOFF AND SEDIMENTATION.
18. CONTRACTOR SHALL BE PREPARED TO INSTALL A SECOND LINE OF DEFENSE IF PROBLEMS WITH IN–PLACE EROSION CONTROL MEASURES OCCUR DURING WINTER THAW AND SPRING RAIN EVENTS.
19. AS EARLY AS PRACTICAL AT THE BEGINNING OF THE NEXT GROWING SEASON, CONTRACTOR SHALL STABILIZE COMPLETED AREAS WITH PERMANENT VEGETATIVE CONTROLS AS SPECIFIED ON THESE DRAWINGS.

TABLE 3800.1 NEW HAMPSHIRE PROHIBITED INVASIVE SPECIES LIST

SCIENTIFIC NAME	COMMON NAME
M	
Acer platanoides	Norway maple
Ailanthus altissima	tree of heaven
Alliaria petiolata	garlic mustard
Berberis thunbergii	Japanese barberry
Berberis vulgaris	European barberry
Celastrus orbiculatus	Oriental bittersweet
Centaurea biebersteinii	spotted knapweed
Cynanchum nigrum	black swallow–wort
Cynanchum rossicum	pale swallow–wort
Elaeagnus umbellata	autumn olive
Euonymus alatus	burning bush
Heracleum mantegazzianum	giant hogweed
Hesperis matronalis	dame's rocket
Iris pseudacorus	water–flag
Lepidium latifolium	perennial pepperweed
Ligustrum obtusifolium	blunt–leaved privet
Lonicera bella	showy bush honeysuckle
Lonicera japonica	Japanese honeysuckle
Lonicera morrowii	Morrow's honeysuckle
Lonicera tatarica	Tatarian honeysuckle
Microstegium vimineum	Japanese stilt grass
Polygonum cuspidatum	Japanese knotweed
Polygonum perfoliatum	mile–a–minute vine
Reynoutria × bohemica	bohemia knotweed
Rhamnus cathartica	common buckthorn
Rhamnus frangula	glossy buckthorn
Rosa multiflora	multiflora rose
INSECTS	
Acarapis woodi	honeybee tracheal mite
Adelges tsugae	hemlock woolly adelgid
Aeolesthes sarta	city longhorn beetle
Agrilus planipennis	emerald ash borer
Anoplophora glabripennis	Asian longhorned beetle
Callidiellum rufipenne	cedar longhorned beetle
Dendrolimus sibiricus	Siberian silk moth
Hylurgus lingniperda	redhaired bark beetle
Ips typographus	European spruce bark beetle
Lymantria dispar	Asian gypsy moth
Popillia japonica	Japanese beetle
Pyrrhalta viburni	viburnum leaf beetle
Rhizotrogus majalis	European chafer
Symantria monacha	nun moth
Tetropium fuscum	brown spruce longhorned beetle
Varroa destructor	varroa mite

CONSTRUCTION SEQUENCE

1. PRE–CONSTRUCTION MEETING.
2. INSTALL CATCH BASIN PROTECTION IF REQUIRED.
3. GRADE AND INSTALL CONSTRUCTION ENTRANCE(S).
4. INSTALL PERIMETER CONTROLS (SILT FENCE, BRUSH BARRIER, CONSTRUCTION FENCE, ETC.) PRIOR TO EARTH MOVING OPERATIONS
5. GRADE AND STABILIZE CONSTRUCTION ROADS.
6. CONSTRUCT SURFACE WATER CONTROLS (INTERCEPTOR DIKES, PIPE SLOPE DRAINS, ETC.), IF REQUIRED, SIMULTANEOUSLY WITH CLEARING AND GRADING FOR PROJECT DEVELOPMENT.
7. LAND CLEARING AND GRADING. SITE PREPARATION INCLUDING CUTTING AND FILLING, BARRIERS, DIVERSIONS, DRAINS, CULVERTS, AND SURFACE ROUGHENING.
8. SURFACE STABILIZATION. TEMPORARY AND PERMANENT SEEDING, MULCHING, SODDING, RIPRAP.
9. BUILDING CONSTRUCTION. BUILDINGS, DRAIN SYSTEMS, UTILITIES, AND PAVING.
10. LANDSCAPING AND FINAL STABILIZATION. TOPSOILING, TREES AND SHRUBS, PERMANENT SEEDING, MULCHING, SODDING, RIPRAP.
11. UPON COMPLETION OF THE PROJECT, ALL DISTURBED AREAS MUST BE STABILIZED.
12. CONTINUOUSLY INSPECT AND MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES.
13. REMOVE TRAPPED SEDIMENTS FROM EROSION AND SEDIMENT CONTROL MEASURES AS APPROPRIATE AND THEN REMOVE TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES.

REVISION NO.	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY
	11/20/20	STAFF REVIEW COMMENTS	PAB	RJF	RJF

EROSION CONTROL NOTES FOR

MIRACLE MILE REALTY, LLC - "DUNKIN DONUTS"

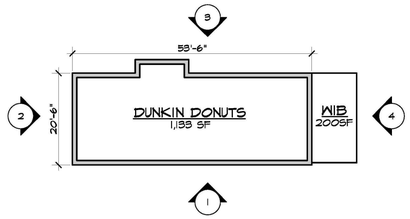
388 MIRACLE MILE – CITY OF LEBANON – GRAFTON COUNTY – NEW HAMPSHIRE

PATHWAYS CONSULTING, LLC
240 MECHANIC STREET, SUITE 100
LEBANON, NEW HAMPSHIRE 03766
(603) 448–2200

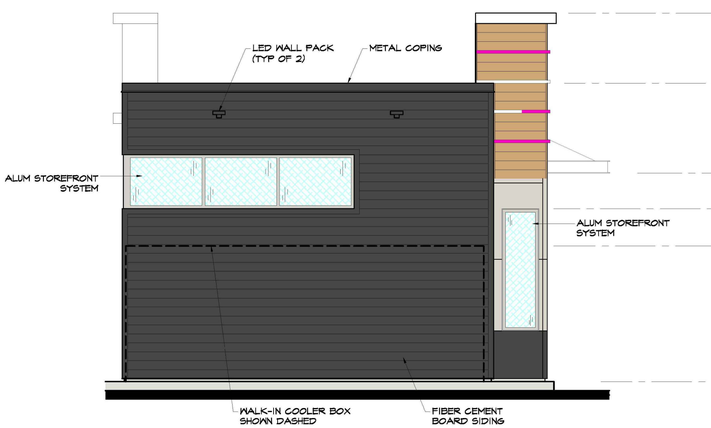
SCALE: N.T.S.
DESIGNED BY: PAB
DRAWN BY: PAB
CHECKED BY: RJF
DATE: 10/13/20
PROJ. NO. 12777–01

13

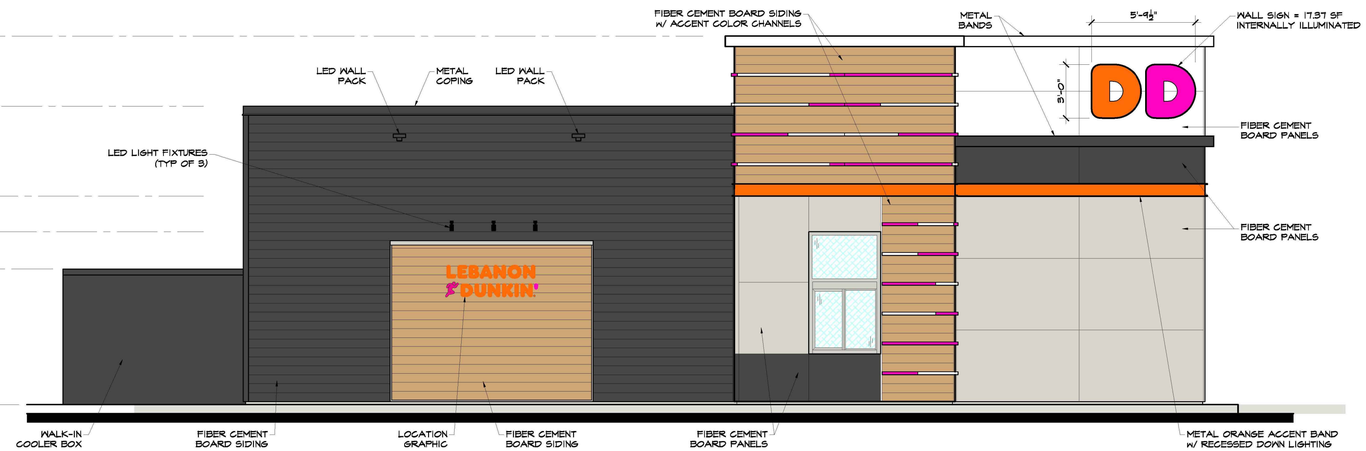
SHEET 13 OF 14



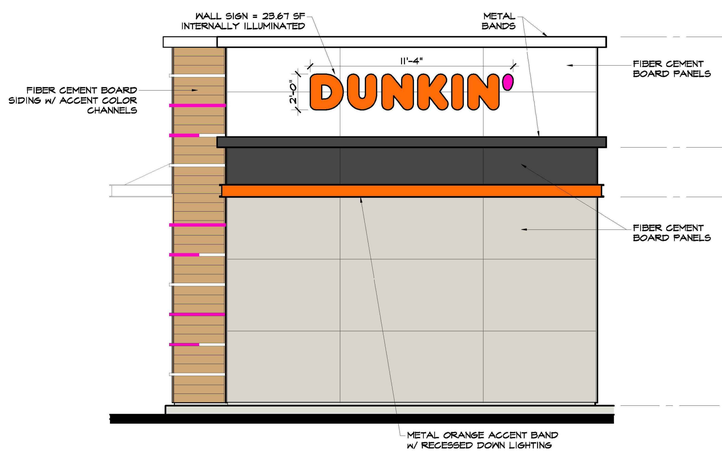
5 KEYPLAN
SCALE: 1/16" = 1'-0"
N
PLAN



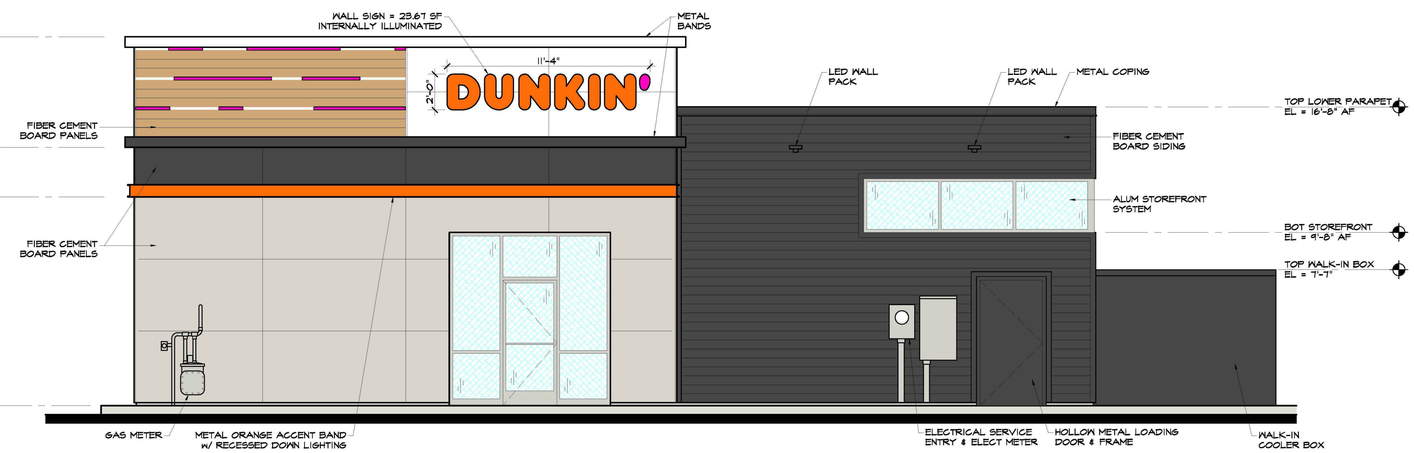
4 PROPOSED WEST ELEVATION
SCALE: 1/4" = 1'-0"



3 PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



2 PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"



1 PROPOSED NORTH ELEVATION
SCALE: 1/4" = 1'-0"

NOTE:

1. ARCHITECTURAL RENDERINGS ARE CONCEPTUAL ONLY.

AHARONIAN
& ASSOCIATES, INC.
Architects
401·232·5010
www.arch-eng.com

14

DUNKIN'
MIRACLE MILE
W. LEBANON, NH 03784
JUNE 18, 2020

Agenda
Planning Board
February 8, 2021

Agenda Item #3B
Public Hearing Items

Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R3

PB2021-02-EXT

CITY OF LEBANON ~ PLANNING & DEVELOPMENT

PLANNING BOARD

February 8, 2021 Meeting

Staff Memorandum – PB2018-39-EXT

APPLICATION INFORMATION

Agenda Item: 3.B

Application ID#:
PB2021-02-EXT

Application Type:
Request for Extension of time required for active and substantial development of an approved final major subdivision

Property Location:
Prospect Street

Property Owner/Applicant:
Brady Sullivan Prospect Hill, LLC

Property Size:
+/-39.48 Ac. (Phase 2 lot only)

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

Overlay District:
Wetlands Conservation District

HEARING NOTICE

Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3: Pursuant to Section 14.1.B.1.c of the Subdivision Regulations, a request for an extension of time to achieve active and substantial development of Phase II of a project identified as Prospect Hills, a 171 unit Planned Unit Residential Development located off Moulton Drive and Prospect Street, Tax Map 108 Lot 2 (phase 2) and Lot 14 (phase 1). PB2021-02-EXT

APPLICATION AND OTHER MATERIALS

- Application form
- Letter from Marc Pinard of Brady Sullivan Properties, dated January 29, 2021, to David Brooks, Planning & Development Director
- Application for Waivers
- *Staff Exhibits*
  - Notice of Action dated December 10, 2018 for PB2018-39-EXT
  - Plat titled, "Overall Development Plan, Prospect Hill – Phase 2", prepared by Rokeh Consulting, LLC, dated October 5, 2011, last revised September 16, 2015

COMPLETENESS REVIEW

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

APPLICATION OVERVIEW

The subject property is the larger portion of the Prospect Hills development project that was originally approved on April 12, 2005 for two phases. At this time, Phase 1 has been constructed but no work has begun on Phase 2.

In 2014, the Planning Board granted an amendment to the Conditional Use Permit for Prospect Hills (approved as a Planned Unit Residential Development) to update the project timelines and to allow the applicant to restore adequate performance security for installation of all site improvements for Phase 2. As part of the 2014 approval, the applicant was required to achieve Active and Substantial Development or Building as defined in Section 14.1 of the Subdivision Regulations for Phase 2 within 2 years of the decision, or no later than April 14, 2016.

Work on Phase 2 had not yet begun by the April 14, 2016 deadline and the applicant failed to submit a timely extension request to the City. Therefore, in August of 2016, the applicant submitted a new application for Phase 2, which was approved by the Planning Board on November 14, 2016 (PB2016-22-EXT-FMAJ). Per the Notice of Decision, the applicant was required to achieve "active and substantial development or building" of the Phase 2 site improvements by November 14, 2018.

On December 10, 2018, the Planning Board approved another extension (PB2018-39-EXT), pursuant to which the applicant was required to:

a. record the plat by June 10, 2019;

b. achieve "active and substantial development or building" (as defined in Section 14.1.B.1.a of the Subdivision Regulations[1]) of the Phase 2 site improvements by December 10, 2020; and

c. achieve "substantial completion" of the Phase 2 site improvements by December 10, 2023.

The applicant has recorded the plat for Phase 2 as required by the December 10, 2018 Notice of Action. Prior to recording the plat, the applicant provided the City with a performance bond in an amount sufficient to secure the satisfactory construction and installation of all required improvements. (Providing performance security in lieu of actual construction of the improvements in order to allow the plat to be recorded is allowed pursuant to Section 7.10 and Section 14.5.A of the Subdivision Regulations.)

However, work on Phase 2 has not yet begun and, therefore, the condition in the December 10, 2018 Notice of Action to achieve "active and substantial development or building" has not yet been achieved. Therefore, the applicant is requesting an extension of time needed to achieve "active and substantial development or building" (as defined in Section 14.1.B.1.a) and to achieve "substantial completion" (as defined in Section 14.1.B.2.a).

Finally, as set forth in the attached letter dated January 29, 2021, from Marc Pinard of Brady Sullivan Properties, it appears that the applicant is also asking the Planning Board to suspend the performance bond that has been posted for the Phase 2 site improvements until construction begins.

STAFF COMMENTS

Per Section 14.1.B.1.b of the Subdivision Regulations, "active and substantial development or building" must be achieved within two (2) years from the date of the recording of the plat, *or as otherwise specified by Board.* Here, "active and substantial development or building" of Phase 2 was not achieved by December 10, 2020, which was the date specified by the Board in the December 10, 2018 Notice of Action.

Per Section 14.1.B.1.c of the Subdivision Regulations, the Planning Board may extend the deadline to achieve "active and substantial development or building" provided that a) the applicant demonstrates "good cause" and b) the extension request is submitted prior to the expiration date:

[1] "Active and substantial development or building" is defined as:
i) Construction of and/or installation of basic infrastructure to support the development […] in accordance with the approved plans; and,
ii) Construction and completion of drainage improvements to service the development (including all of the following: detention/retention basins, treatment swales, pipes, underdrains, catch basins, etc.) in accordance with the approved plans; and,
iii) Placement and maintenance of all erosion control measures on the site as specified on the approved plans.

> The time for completion of Active and Substantial Development or Building may be extended for good cause by the Planning Board. A request for an extension of the time within which to complete such Active and Substantial Development or Building shall be submitted by the Applicant to the Planning Office prior to such expiration date. Requests for extension of time to complete Active and Substantial Development or Building received after the expiration date shall not be considered by the Board.

Here, the applicant submitted the extension request on January 11, 2021, after the December 10, 2020 expiration date had passed. To address the missed deadline, the applicant has submitted an Application for Waivers requesting that the Planning Board waive Section 14.1.B.1.c.

Should the Board grant the applicant's waiver, it should then determine whether the applicant has demonstrated "good cause" for its request to extend the time within which to achieve "active and substantial development or building" of the Phase 2 site improvements. If the Board grants the requested waiver and finds "good cause", it would then be appropriate to grant the applicant's extension request.

Note that the applicant has not identified a new date by which to achieve "active and substantial development or building". As a starting point for discussion, therefore, staff has supplied proposed dates in draft condition of approval #1 below based on two years from the February 8, 2021 hearing date to achieve "active and substantial development or building", and five years from the February 8, 2021 hearing date to achieve "substantial completion".

To approve the applicant's request to suspend the requirement to post a subdivision bond, the Planning Board will need to waive Section 14.5.B of the Subdivision Regulations which provides that, "[t]he City shall not release nor reduce the amount of a Performance Security Agreement until the Reviewing Engineer, or designated agent, has certified that all required improvements have been satisfactorily completed in accordance with the approved subdivision plans and the City's standards."

With respect to the date of substantial completion, a waiver may also be needed from Section 14.5.A which requires that, "[t]he period within which required improvements must be completed shall be incorporated into the Performance Security Agreement and shall not exceed five (5) years from the date of the recording of the plat."

Staff has asked the applicant to provide a revised Application for Waivers for any additional waiver requests.

STAFF RECOMMENDATIONS

In summary, the Planning Board needs to:

A. The Board should first evaluate the applicant's request for a partial waiver from Section 14.1.B.1.c which, as applied here, required the extension application to be submitted to the Planning & Development Department by December 10, 2020.

B. If the waiver from Section 14.1.B.1.c is granted, the Board should then determine if the applicant has demonstrated "good cause" for granting the requested extension.

C. If "good cause" has been demonstrated, the Board should then determine the dates by which "active and substantial development or building" and "substantial completion" of the Phase 2 site improvements must be achieved.

D. Finally, the Board should evaluate the applicant's request to suspend the requirement to post a bond for the Phase 2 improvements, provided that the applicant submits a written request for the necessary waivers.

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

1. The applicant shall be required to (a) achieve Active and Substantial Development or Building, as defined in Section 14.1 of the Subdivision Regulations, for Phase 2 site improvements by *February 8, 2023* (or TBD); and (c) achieve Substantial Completion, as defined in Section 14.1, for Phase 2 site improvements by *February 8, 2026* (or TBD).

2. The applicant shall update all Subdivision Agreements, Security Agreements, and other documents, as necessary, to reflect the dates of the extended approval (per Section 14.1.B.1.c of the Subdivision Regulations).

3. The applicant shall comply with all applicable conditions of the Planning Board's prior Notices of Action for the Prospect Hills development, including but not limited to, the Notice of Action dated November 14, 2016, #PB2016-22-EXT-FMAJ.

Finally, please note that staff will recommend additional conditions of approval if the Planning Board grants the applicant's request to suspend the requirement to provide performance security for the Phase 2 site improvements.

Q:\Development_Review\Large-Scale_Dev-Projects\Prospect.Hills\2021-02-EXT_0 Prospect St_108-002\2021-02-02_Staff Memo.docx

CITY OF LEBANON
APPLICATION FOR

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

PROPERTY OWNER (APPLICANT):

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

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

E-MAIL ADDRESS: MPINARD@BRADYSULLIVAN.COM

CO-APPLICANT, AGENT, OR LESSEE:

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

MAILING ADDRESS: 89 KING ROAD, CHICHESTER, NH 03258

E-MAIL ADDRESS: JON@ROKEHCONSULTING.COM

PROJECT LOCATION:

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

STREET ADDRESS OF PROJECT: 0 PROSPECT STREET

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

FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:

AN EXTENSION REQUEST IS BEING MADE TO ALLOW TIME TO MOBILIZE AND BEGIN CONSTRUCTION ON THE PROJECT. ALL PLANS HAVE BEEN FINALIZED AND RECORDED AND THE CONSTRUCTION BOND HAS BEEN POSTED.

TYPE OF OCCUPANCY:

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

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

SIGNATURE BLOCK:

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

PROPERTY OWNER:_____ 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: Arthur W. Sullivan, Manager DATE: 1-8-2021

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - $ AMOUNT	DATE PAID	VOUCHER #
1-11-21	108-2	PB2021-02-EXT	$427.70	1-11-21	18020

(Last Revised 10/09/09)

Marc A. Pinard, General Counsel
Direct Line: 603 657-9715
Email: mpinard@bradysullivan.com
Licensed to practice in New
Hampshire & Massachusetts

January 29, 2021

VIA EMAIL

City of Lebanon Planning Board
David R. Brooks, Director of Planning and Zoning
City of Lebanon
51 North Park Street
Lebanon, NH 03766

Re: Prospect Hills Subdivision Phase II Status

Dear Mr. Brooks:

Over the course of 2019 and 2020 Brady Sullivan has worked closely with the City of Lebanon on final items toward the Phase I close out and required items for Phase II.

In 2019 the as-builts plans for Phase I were completed and recorded at the registry of deeds. Also completed and recorded were all the final plans for Phase II and the surety bond was posted with the City of Lebanon. In 2020 we worked with the City of Lebanon on all the final easements that were required for the project and recorded all documents with the Registry.

Due to the Covid 19 pandemic in 2020 further progress on the project became impossible. However, Brady Sullivan is committed to commencing site work during calendar 2021 regardless of the status of the continuing pandemic.

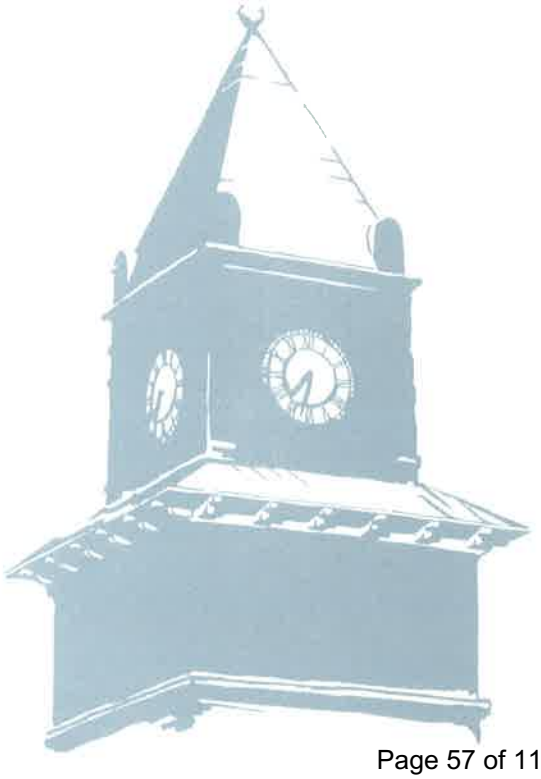
We respectfully request an extension of the project approval for Phase II in order to continue our progress and move forward with the construction phase of the project.

As part of this extension request, we desire that the bond requirement be waived until construction has commenced. It is extremely costly to carry the bond and there is no risk to the City until construction begins. Based on that risk reality and the related terms of the approval, we seek to suspend the bond and reinstate it when actually required by the City to protect its interests.

Thank you for your attention to this matter and please let me know if you have any questions or comments.

Very truly yours,

Marc A. Pinard



City of Lebanon, New Hampshire
APPLICATION FOR WAIVERS

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

PROJECT INFORMATION

Name of Applicant: **Brady Sullivan Prospect Hill, LLC**

Project Name: **PROSPECT HILL PHASE 2**

Project Address: **PROSPECT STREET**

WAIVER REGULATIONS

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

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

OR

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

WAIVER REQUEST(S)

I (we) hereby request a Waiver from:

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

Section 14.1.B.1.c

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

   Strict conformity would cause unnecessary hardship on the applicant in that a new application for the development would potentially need to be applied for. The developer has worked extensively with the City of Lebanon on the project and all conditions of approval have been met and mylars recorded for the project. The intent of ordinance is for the applicant to keep the board informed of the process and show that progress is being made on the project. The request for an extension is consistant with the ordinance.

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

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

_____

_____

_____

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

_____

_____

_____

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

_____

_____

_____

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

_____

_____

_____

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

_____

_____

_____

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

_____

_____

_____

SIGNATURE

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

Signature of Applicant: Shane D. Brady, Member Date: 1-25-2021

CITY OF LEBANON ~ PLANNING OFFICE
51 North Park Street ~ Lebanon, NH ~ 03766

NOTICE OF ACTION
LEBANON PLANNING BOARD

Notice is hereby given that on **DECEMBER 10, 2018**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Subdivision Regulations:

Carl Porter moved that the Lebanon Planning Board finds the application of **BRADY SULLIVAN PROSPECT HILLS, LLC** for an Extension of a Final Review of a Major Subdivision and Conditional Use Permit, #PB2018-39-EXT, is complete enough to accept jurisdiction and commence review.

The motion was seconded by Matthew Hall. The vote on the motion was unanimous in favor, 9-0.

Notice is hereby given that on **DECEMBER 10, 2018**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Subdivision Regulations:

Carl Porter moved that the Lebanon Planning Board **APPROVE** the application of **BRADY SULLIVAN PROSPECT HILLS, LLC** for an Extension of a Final Review of a Major Subdivision and Conditional Use Permit (#PB2016-22-EXP-FMAJ) for Phase II of a project identified as Prospect Hills, a 171 unit Planned Unit Residential Development located off Moulton Drive and Prospect Street, Tax Map 108 Lot 2 (phase 2) Lot 14 (phase 1), #PB2018-39-EXT, including any and all supplemental submissions and testimony provided during the public hearing, with the following conditions:

1. The applicant shall be required to (a) record the plat within six (6) months of the date of the date of this decision, or by June 10, 2019; (b) achieve Active and Substantial Development or Building, as defined in Section 14.1 of the Subdivision Regulations, for Phase 2 site improvements within two (2) years of the date of this decision, or by December 10, 2020; and (c) achieve Substantial Completion, as defined in Section 14.1, for Phase 2 site improvements within 5 years of the date of this decision, or by December 10, 2023.

2. The applicant shall comply with all applicable conditions of the Planning Board's prior Notices of Action for the Prospect Hills development, including but not limited to, the Notice of Action dated November 14, 2016, #PB2016-22-EXT-FMAJ.

The motion was seconded by Sarah Welsch. The vote on the motion was 7 in favor, 1 opposed, and 1 abstention.

THE CITY OF LEBANON

SIGNED Shane D. Brady, member

DATED 2-20-2019

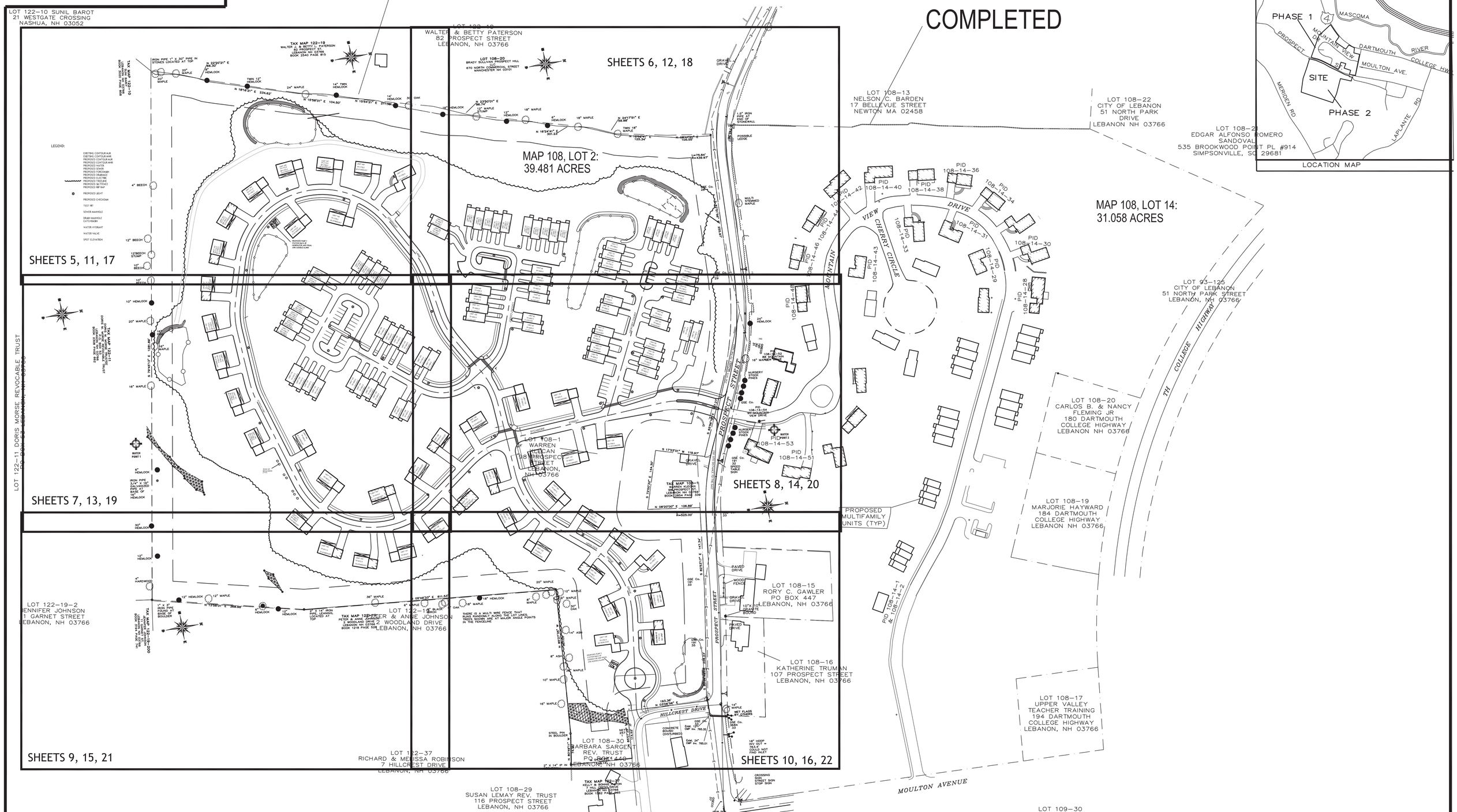
By: _____ DATE: 1/14/19
Planning Board Chair

S:\PLN\Development_Review_P&Z\Planning_Board_Applications\2018_Applications\PB2018-29-SPA_11 Mahan St_Geokon Inc_78_15\2018.11.13_NOA_PB2018-29-SPA.docx

PHASE 2 DEVELOPMENT MAP

SCALE: 1"=100'

PHASE 1 DEVELOPMENT MAP COMPLETED



GRAPHIC SCALE

50 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

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

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

REVISIONS

DATE	DESCRIPTION	DWN BY	CK BY
2-21-14	REVISIONS TO COVER SHEET PER COMMENTS	JR	JR
3-16-15	EDITS PER ENGINEERING COMMENTS.	JR	JR
9-16-15	EDITS PER ENGINEERING COMMENTS.	JR	JR

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

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

Agenda
Planning Board
February 8, 2021

Agenda Item #3C
Public Hearing Items

ICVNH, LLC,
67 Etna Road
(Tax Map 26, Lot 2),
zoned INDL
PB2021-03-FMAJ-SPA

CITY OF LEBANON ~ PLANNING & DEVELOPMENT

PLANNING BOARD

February 8, 2021 Meeting

Staff Memorandum – PB2021-03-FMAJ-SPA

APPLICATION INFORMATION

Agenda Item: 3.C

Application ID#:
PB2021-03-FMAJ-SPA

Application Type:
Amendment to a Site Plan approval for a PUD and a Final Major Subdivision approval for a condominium conversion

Property Location:
67 Etna Rd (Tax Map 26, Lot 2)

Applicant/Property Owner:
ICV Holdings of NH LLC

Property Size:
+/-41 acres

Zoning District(s):
Light Industrial (IND-L)/
Rural Lands Three (RL-3)

Overlay District(s):
Wetlands Conservation District

Staff Exhibit:
3-sheet plan set submitted with the Major Subdivision application approved in 2018 (PB2018-30-FMAJ) for the conversion of the multi-family dwelling to a condominium form of ownership

LEGAL NOTICE

ICV-NH, LLC, 67 Etna Road (Tax Map 26, Lot 2), zoned IND-L: Request for modifications to the required open space for the Industrial PUD approved in 2016 (PB2016-04-SPR), and to the subdivision plat required to be recorded for the 75-unit multi-family condominium conversion approved in 2018 (PB2018-30-FMAJ). PB2021-03-FMAJ-SPA

DRAWINGS AND OTHER SUBMISSIONS

- Application form
- Letter from Daniel A. Nash, PE, of Advanced Geomatics & Design dated January 8, 2021 (project description)
- Plat titled "Industrial PUD Plan prepared for ICV Holdings of NH LLC," prepared by Advanced Geomatics & Design, dated January 19, 2021, drawing: 21004-bo

COMPLETENESS REVIEW

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

APPLICATION OVERVIEW

The subject property is a +/-41 acre parcel, partially located in the IND-L District and partially located in the RL-3 District. A multi-story office building was constructed on the IND-L portion of the property in 2009. In 2016, the Planning Board approved a site plan to convert the IND-L portion of the property to an Industrial Planned Unit Development (PUD) use per Section 501.2 of the Zoning Ordinance, and to construct a 75-unit multi-story, multi-family dwelling (PB2016-04-SPR).

As part of the 2016 site plan approval, the applicant dedicated a portion of the property as open space as required by the Zoning Ordinance PUD regulations. However, the open space was approved for the RL-3 portion of the lot where a PUD is not a permitted use. In 2018, the Planning Board approved a Major Subdivision application to convert the multi-family dwelling to a condominium form of ownership (PB2018-30-FMAJ). The plat approved by the Planning Board at that time (attached for reference as Staff Exhibit A) was not in a form acceptable for recording.

At this time, the applicant requests approval of the attached plat as an amendment both to the 2016 Site Plan approval for the "Gateway Center PUD" and to the 2018 Major Subdivision approval for the multi-family dwelling condominium conversion. The purpose of the plat is to relocate the PUD open space to the IND-L portion of the property and to obtain Planning Board approval of the plat to be recorded for the 2018 Major Subdivision approval.

STAFF COMMENTS

The subject PUD is regulated by Section 501.4 of the Zoning Ordinance last revised May 20, 2015 (which was the Zoning Ordinance in effect at the time the 2016 Site Plan application was submitted). Per Section 501.4.E, open space of "at least ten (10) percent utilized for a Commercial or Industrial PUD shall be preserved as common open space. None of the curtilage of a principal building shall be used to meet the 10 percent criteria." Note that the area required to be preserved for open space is relative to the size of the PUD, which in this instance is 10% of the size of the IND-L zoned portion of the property (not 10% of the size of the entire property).

As shown on the 2016 PUD site plan, the required open space for the PUD was located within the RL-3 District portion of the lot. However, Section 215 of the Zoning Ordinance requires that, "[i]n the case of lots in two zoning districts, an accessory use shall be permitted only on that portion of the lot where its respective primary use is permitted." An industrial PUD is not a permitted use in the RL-3 District. Consequently, the required open space must be relocated to the IND-L portion of the property where an Industrial PUD is a permitted use.

Staff asked the applicant to consider relocating the open space to the far northern end of the site where it would abut and augment the existing +/-205 acre conservation lot owned by Upper Valley Land Trust (Tax Map 24, Lot 15). As proposed by the applicant and as shown on the attached plat, the open space is proposed to be located primarily around the multi-family dwelling and in an area below the multi-family dwelling that is predominantly comprised of a steep boulder slope.

As a Major Subdivision, a plat was required to be recorded in connection with the 2018 condominium conversion (e.g. condition of approval #1 set forth in the 2018 Notice of Action is prefaced with the following clause: "*Prior to the recording of the subdivision plat* […]". Subdivision plats have also been recorded for similar condominium conversions such as Nature Walk on Old Pine Tree Cemetery Road). The plan sheets provided with the 2018 Major Subdivision approval were not presented in a recordable form and, moreover, show the required PUD open space within the RL-3 District portion of the lot.

STAFF RECOMMENDATIONS

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

1. Prior to recording the plat, the applicant shall make the following revisions to the satisfaction of the Planning & Development Department:

    a) Add a table identifying the acreage of the lot, the acreage of the IND-L portion of the lot, the acreage of the RL-3 portion of the lot, the required size of the open space as a percentage and in acres, and the provided open space as a percentage and in acres.

    b) Add a note providing that the open space shall remain undeveloped in perpetuity per Section 501.2.K.3 of the May 20, 2015 Zoning Ordinance.

c) Add a note identifying the purpose of the plat, and add a reference to the Notice of Action and file number for the current Planning Board approval as well as the prior Planning Board approvals that are hereby amended [i.e. the 2016 PUD approval (PB2016-04-SPR) and the 2018 Final Major Subdivision approval (PB2018-30-FMAJ)].

d) Retitle the plat to more accurately convey the purpose of the plat (e.g. “Condominium Subdivision Plat and Revised Gateway Plaza PUD Open Space Plan”).

e) Add the statement required by Section 7.11 of the Subdivision Regulations (“The Subdivision Regulations of the City of Lebanon and the Notice of Action are a part of the Plat, and approval of this Plat requires the completion of all the requirements of the Notice of Action and said Subdivision Regulations excepting only any modification or waiver set forth in the Notice of Action.")

f) Update the abutter’s list per the current records of the City Assessor.

The applicant shall provide the Planning & Development Department with a full-size copy of the approved revised plat, and a digital copy saved in a PDF-A format for archival purposes.

2. The approved revised plat shall be submitted to the Planning & Development Department for recording at the Grafton County Registry of Deeds by no later than May 8, 2021.

Attachments

cc (via e-mail): Daniel A. Nash, PE, Advanced Geomatics & Design
Barry Schuster, Esq.
ICV Holdings of NH LLC
File

Q:\Development_Review\Large-Scale_Dev-Projects\ICV-Gateway\2021-03-FMAJ-SPA_67 Etna Rd_026-002\2021-02-02_Staff Memo.docx

CITY OF LEBANON
APPLICATION FOR

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

☑ OTHER MODIFY APPROVED PUD

PROPERTY OWNER (APPLICANT):

NAME: ICV-NH, LLC TEL.#: 802-863-2311

MAILING ADDRESS: 30 MAIN STREET, SUITE 401, BURLINGTON, VT 05401

E-MAIL ADDRESS:

CO-APPLICANT, AGENT, OR LESSEE:

NAME: DAVID SCHILLING TEL.#: 802-863-2311

MAILING ADDRESS: same as above

E-MAIL ADDRESS: DAVID@ICVVT.COM

PROJECT LOCATION:

TAX MAP #: 26 LOT#: 2 PLOT #: ZONE: IND-L

STREET ADDRESS OF PROJECT: 67 ETNA ROAD

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

FLOOD PLAIN ☐ YES ☑ NO

SCOPE OF PROJECT:

This application is to modify the approved open space for the approved Industrial PUD.

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: INDUSTRIAL PUD

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 8 February, 20 21 unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: _____ DATE: 1/7/2021

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

PROPERTY OWNER: _____ DATE: 1/7/21

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - $ AMOUNT	DATE PAID	VOUCHER #
1-11-21	26-2	PB2021-03-SPA	346.70	1-11-21	18026

(Last Revised 4/04/18)

AGD
Advanced Geomatics
& Design

8 January 2021

Tim Corwin, Senior Planner
City of Lebanon
51 North Park Street
Lebanon, NH 03766

Re: Modification of Industrial PUD, Lot 26-2, ICV Phase 2

Dear Mr. Corwin:

Enclosed please find our application for a PUD Modification for parcel 26-2.

The Industrial PUD was approved as part of the Multi-family housing project also known as Phase 2. As part of the PUD allowing multi-family housing, we had to dedicate 10% of the parcel to open space. The open space the applicant presented is shown on Sheet Z-1 dated 5Nov15. Subsequent to that approval, staff has determined that the open space must be in the IND-L zone.

Since the open space must be in the zone of the PUD, and the need for the PUD was the multi-family housing, it is reasonable that the open space be located with or near the use generating the need for open space. The proposed open space is shown on the attached Sheet Z-1A, dated 16Dec20. It is our understanding that since the open space was approved by the Board as part of the PUD, changes to the open space must be approved by the Board.

We have not applied for subdivision as we are not creating any lots. The open space is merely an overlay on the PUD, which allows multiple buildings on one lot.

Please let us know if you need any additional materials to support this application. We look forward to meeting with you and the Board to answer any questions you may have.

Sincerely,

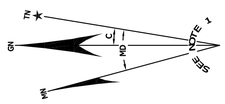
Daniel A. Nash, PE
Principal

CC: ICV

M:\2015_projects\15-014\pb_applic\11jan21_submittal\col_icv_7jan21.docx

Easements:

① An easement for outdoor inventory storage benefiting Parcel 50-25 granted in a warranty deed from George D. Stoddard, et als to John D. Pole recorded in Book 3372, Page 295 of the GCRD.
② An easement for ingress, egress and utility installation for the Access Road to Etna Road benefiting Parcel 26-2 granted in a warranty deed from George D. Stoddard, et als to John D. Pole recorded in Book 3372, Page 295 of the GCRD.
③ A twenty (20) foot wide easement for a 10" C.I. water line owned by the City of Lebanon as shown on Reference Plan J.
④ An existing electric and telephone easement.

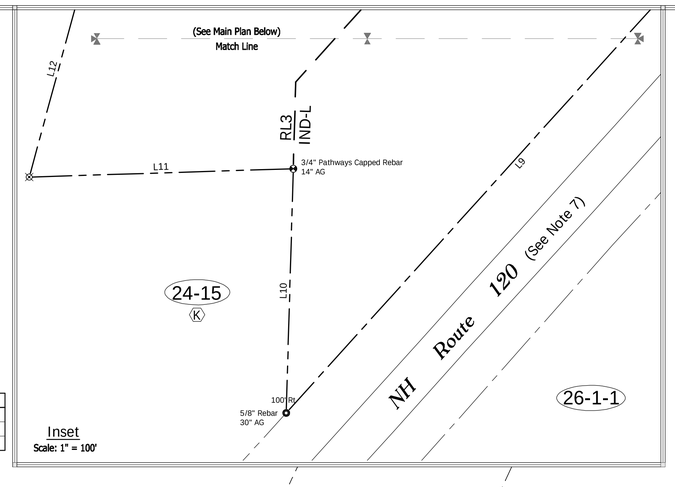


Line Table		
Line	Length	Bearing
L1	159.65'	S50°04'20"W
L2	52.05'	N39°50'40"W
L3	60.00'	S48°21'00"W
L4	80.00'	S49°57'40"W
L5	43.75'	N12°42'30"W
L6	1043.40'	N12°42'30"W
L7	160.25'	N05°36'20"W
L8	160.10'	N33°57'20"W
L9	955.00'	N47°55'00"W
L10	341.25'	S88°20'10"E
L11	369.10'	N01°48'10"W
L12	1237.60'	S74°48'10"E
L13	351.60'	S05°46'30"E
L14	78.50'	S05°46'00"E
L15	360.15'	S10°31'00"W
L16	194.20'	S10°29'40"W
L17	285.00'	S10°29'00"W
L18	46.40'	S10°52'40"W
L19	734.20'	S32°50'00"E
L20	622.15'	S05°22'20"W
L21	243.65'	S74°58'50"E
L22	223.80'	S33°10'40"W

Curve Table					
Curve	Length	Radius	Delta Angle	Chord Bearing	Chord
C1	415.40'	2029.86'	11°43'31"	N18°35'13"W	414.67'
C2	665.04'	2009.86'	18°57'30"	N38°23'25"W	662.01'

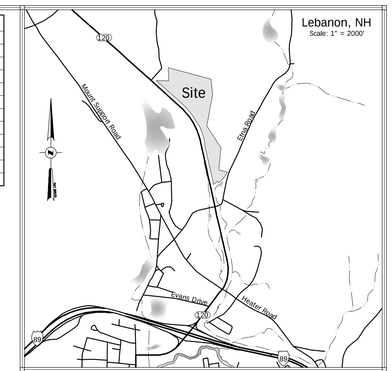
Zoning Table *							
	Minimum Lot Requirements					Minimum Limitations	
Zone	Lot Area	Frontage	Front Yard	Side Yard	Rear Yard	Building Coverage	Building Height
IND-L	2 acres	200'	40'	20'	20'	50%	65'
RL-3	10 acres	-	50'	50'	50'	1%	35'

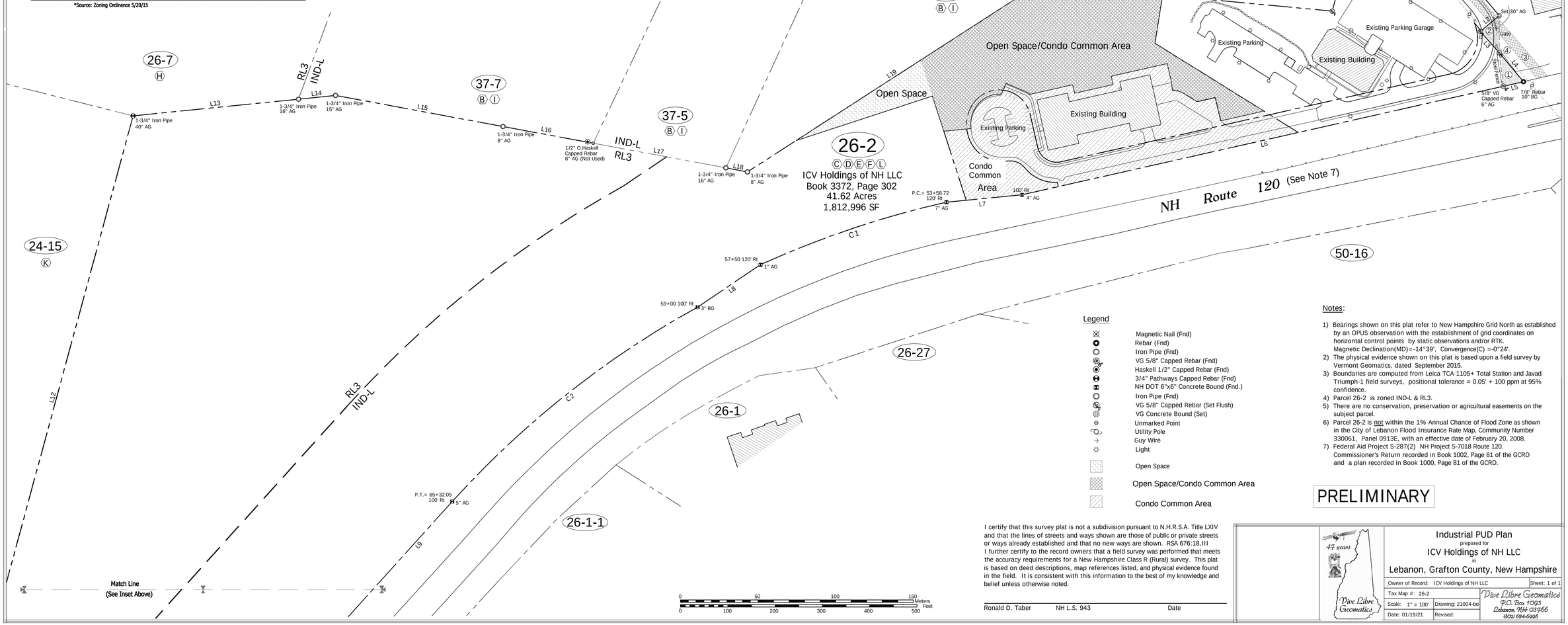
*Source: Zoning Ordinance 5/20/15



Abutters' Table			
Parcel ID	Owner	Owner's Mailing Address	Title Source
50-25	Day Tripper LLC % FW Webb Company	160 Middlesex Turnpike, Bedford, MA 01730	4020/200
37-3	Grafin Properties, LLP	77 Etna Road, Lebanon, NH 03766	3065/9
37-4	New England Industries, Inc.	85 Etna Road, Lebanon, NH 03766	1455/623
37-5	Alpina Sports Corporation	93 Etna Road, Lebanon, NH 03766	1344/1
37-7	Hanover Investment Corporation	23 Bank Street, Lebanon, NH 03766	2670/118
26-7	Upper Valley Land Trust, LLC	19 Buck Road, Hanover, NH 03755	4119/552
24-15	Altaria Lebanon Park, LLC	25 Foothill Street, Suite 1A, Lebanon, NH 03766	3897/537
50-16	Gary Kenneth Hashimoto 1996 Trust	547 Hillrise Place, Walnut Creek, CA 94598	2228/262
26-27	City of Lebanon	51 North Park Street, Lebanon, NH 03766	2306/906
26-1	Briarcliff Wolf Street Association %Stone Farm Apartments	42 Wolf Road, Suite 1, Lebanon, NH 03766	4101/655
26-1-1	City Of Lebanon - Lebanon Conservation Commission	51 North Park Street, Lebanon, NH 03766	1769/589

Map Reference Table				
Plat	Title	Prepared by	Dated	GCRD Map File #
Ⓐ	Elizabeth White & Gerard Chaloux	K.A. LeClair Assoc., Inc.	08/28/57	Book 1059, Page 31
Ⓑ	NH Industrial Development Authority - Roberts Property	K.A. LeClair Assoc., Inc.	06/13/69	Book 1189, Page 28
Ⓒ	Property of Elizabeth H. White	T&M Surveys	02/72	Pocket 2 Folder 4 #18
Ⓓ	Property of Elizabeth H. White	T&M Surveys	02/72	Pocket 2 Folder 4 #19
Ⓔ	Wilson I Pollard & Millicent Evans Clapp	K.A. LeClair Assoc., Inc.	12/12/78	2352
Ⓕ	Annexation for James Movelle	T&M Surveys, Inc.	10/84	2519
Ⓖ	Smith, Batchelder & Rugg	K.A. LeClair Assoc., Inc.	05/10/85	2906
Ⓗ	Land of Helen P. Bunker	Christopher E. Rollins	01/19/95	2585
Ⓘ	NH Industrial Development Authority - Roberts Property	K.A. LeClair Assoc., Inc.	09/20/77	7792
Ⓙ	John D. Pope Property	Rollins Land Survey	05/20/99	10045
Ⓚ	ALTA/ACSM Land Title Survey for Mt. Support Preserve	Pathways Consulting, LLC	04/22/05	Not on Record
Ⓛ	George D. & Kathleen M. Stoddard Property	Bruno Associates Inc., P.C.	03/09/06	12646





Legend

- Magnetic Nail (Fnd)
- Rebar (Fnd)
- Iron Pipe (Fnd)
- VG 5/8" Capped Rebar (Fnd)
- Haskell 1/2" Capped Rebar (Fnd)
- 3/4" Pathways Capped Rebar (Fnd)
- NH DOT 6"x6" Concrete Bound (Fnd.)
- Iron Pipe (Fnd)
- VG 5/8" Capped Rebar (Set Flush)
- VG Concrete Bound (Set)
- Unmarked Point
- Utility Pole
- Guy Wire
- Light
- Open Space
- Open Space/Condo Common Area
- Condo Common Area

Notes:

1) Bearings shown on this plat refer to New Hampshire Grid North as established by an OPUS observation with the establishment of grid coordinates on horizontal control points by static observations and/or RTK. Magnetic Declination(MD)=-14°39', Convergence(C) =-0°24'.
2) The physical evidence shown on this plat is based upon a field survey by Vermont Geomatics, dated September 2015.
3) Boundaries are computed from Leica TCA 1105+ Total Station and Javad Triumph-1 field surveys, positional tolerance = 0.05' + 100 ppm at 95% confidence.
4) Parcel 26-2 is zoned IND-L & RL3.
5) There are no conservation, preservation or agricultural easements on the subject parcel.
6) Parcel 26-2 is not within the 1% Annual Chance of Flood Zone as shown in the City of Lebanon Flood Insurance Rate Map, Community Number 330061, Panel 0913E, with an effective date of February 20, 2008.
7) Federal Aid Project S-287(2) NH Project S-7018 Route 120. Commissioner's Return recorded in Book 1002, Page 81 of the GCRD and a plan recorded in Book 1000, Page 81 of the GCRD.

PRELIMINARY

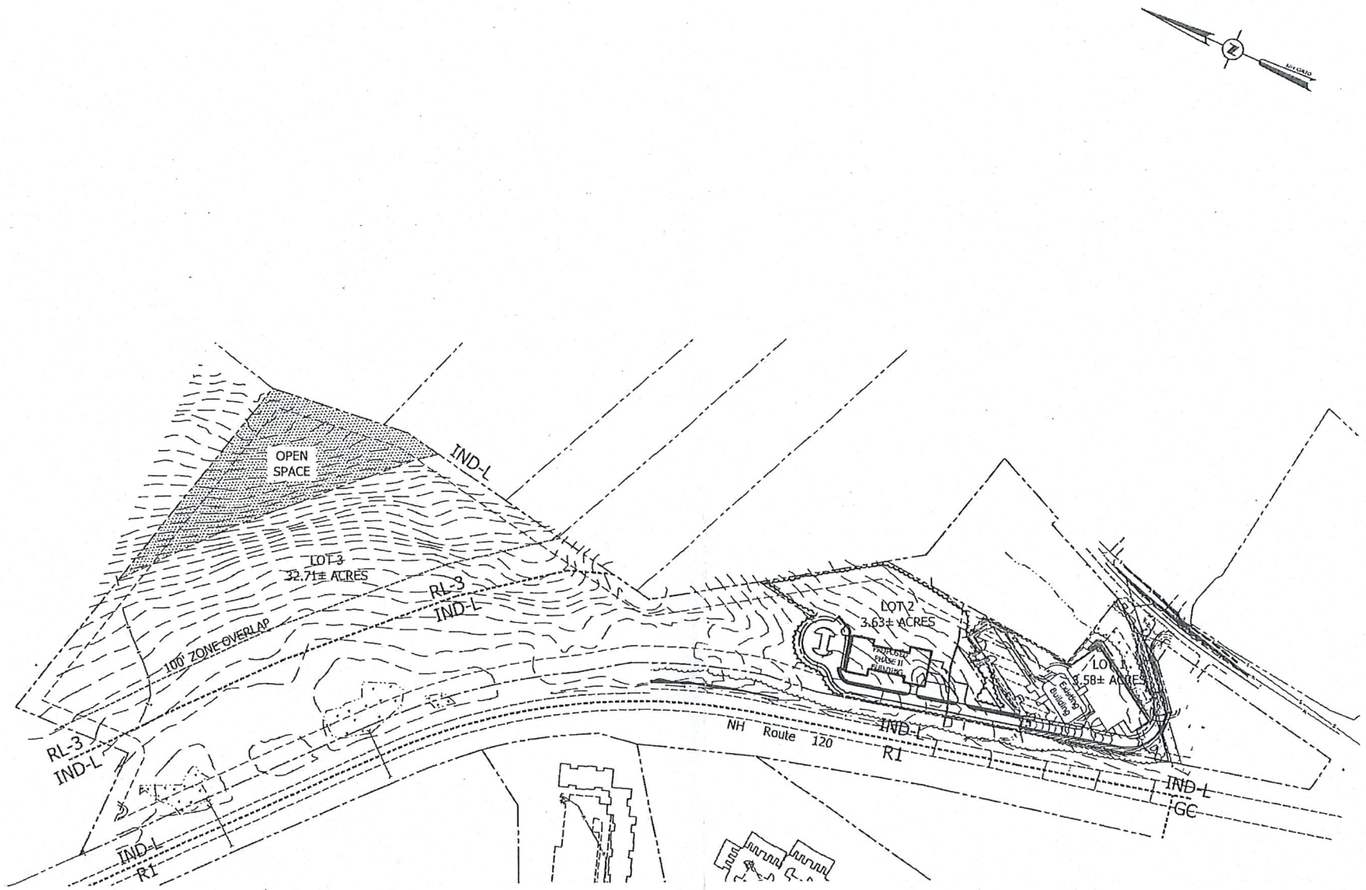
I certify that this survey plat is not a subdivision pursuant to N.H.R.S.A. Title LXIV and that the lines of streets and ways shown are those of public or private streets or ways already established and that no new ways are shown. RSA 676:18,III
I further certify to the record owners that a field survey was performed that meets the accuracy requirements for a New Hampshire Class R (Rural) survey. This plat is based on deed descriptions, map references listed, and physical evidence found in the field. It is consistent with this information to the best of my knowledge and belief unless otherwise noted.

Ronald D. Taber NH L.S. 943 Date

47 years
Dive Libre Geomatics

Industrial PUD Plan
prepared for
ICV Holdings of NH LLC
in
Lebanon, Grafton County, New Hampshire

Owner of Record: ICV Holdings of NH LLC		Sheet: 1 of 1
Tax Map #: 26-2		Dive Libre Geomatics P.O. Box 1093 Lebanon, NH 03766 (603) 654-6095
Scale: 1" = 100'	Drawing: 21004-bo	
Date: 01/19/21	Revised:	



MF DENSITY

IND-L AREA (+100' OVERLAP)	26.54 ACRES
OPEN SPACE	-2.65 ACRES
ROADS	-0.72 ACRES
SUB-TOTAL	23.17 ACRES
25% (MAX.)	5.79 ACRES
DENSITY (@ 13/AC)	75 UNITS

(INCLUDES 10% OPEN SPACE ON OVERLAP)

IND-L AREA (+100' OVERLAP)	26.54 ACRES
OPEN SPACE	-2.28 ACRES
ROADS	-0.72 ACRES
SUB-TOTAL	23.54 ACRES
25% (MAX.)	5.88 ACRES
DENSITY (@ 13/AC)	76 UNITS

(INCLUDES 10% OPEN SPACE ON IND-L ONLY)

TOTAL PARCEL AREA	42.15 ACRES
IND-L	22.8 ACRES
RL-3	19.4 ACRES
OPEN SPACE (10%)	4.21 ACRES

PERMIT PLANS

200 0 200 400 600 800

#	REVISIONS	DATE

ZONING PLAN
FOR
ICV INDUSTRIAL PUD
IN
LEBANON, NEW HAMPSHIRE

ADVANCED GEOMATICS & DESIGN
18 BANK STREET - PO BOX 512
LEBANON, NEW HAMPSHIRE 03766
PHONE: (603) 448 6295
E-MAIL: advancedgeomatics@comcast.net

SURVEYED: GIS
DESIGNED: DAN
DRAWN: KH
CHECKED: DAN
DATE: 3/28/16

ICV INDUSTRIAL PUD

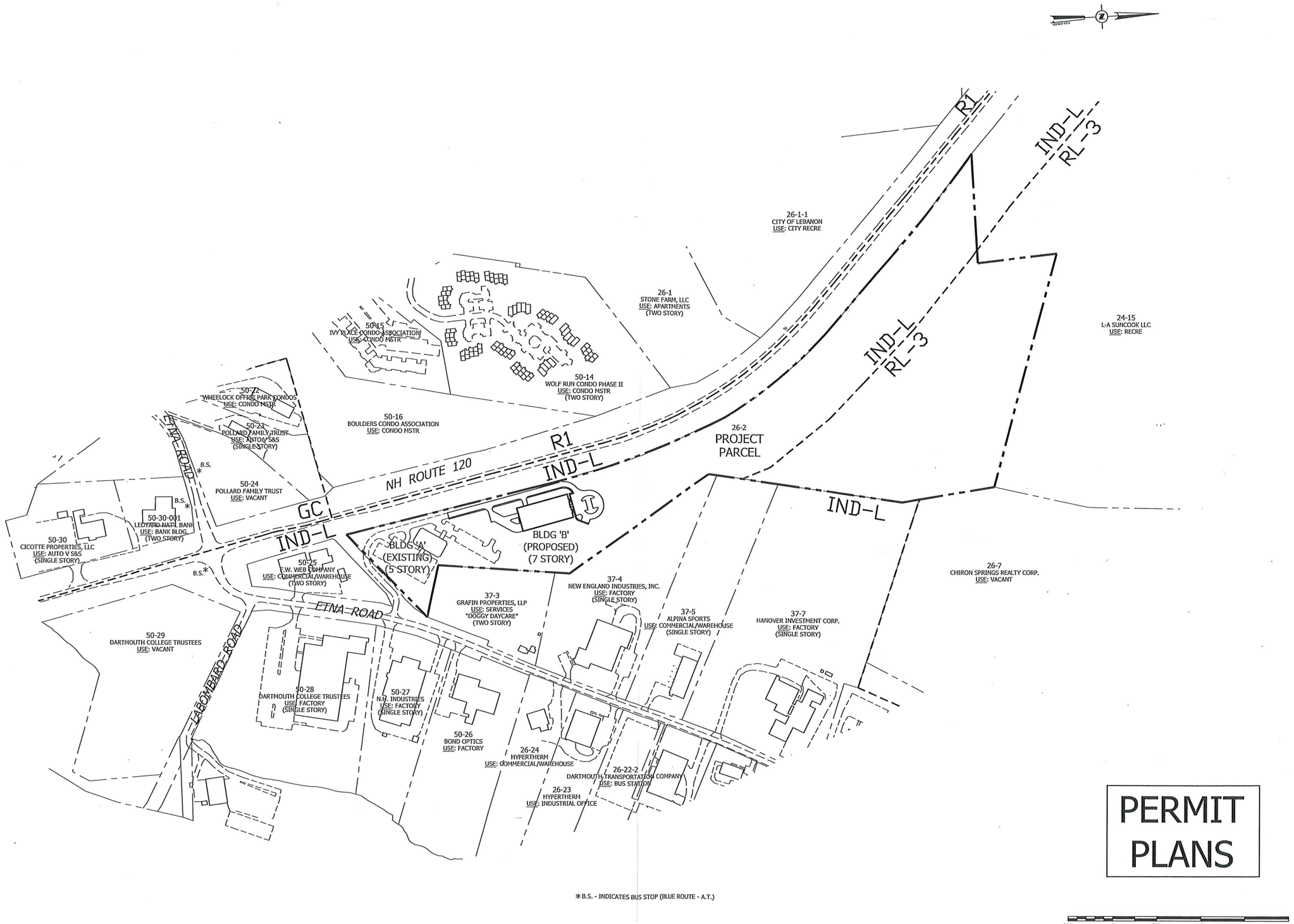
ZONING PLAN

Z-1A

© 2016
ADVANCED GEOMATICS & DESIGN

DWG: 15014-PL-OPT 4-FILL

\2015_projects\15-014\15014-PL-OPT 4-FILL.dwg, Z-1A, 3/23/2016 9:22:23 AM



PERMIT PLANS

REVISIONS	DATE

ICV PHASE II
FOR
ICV
IN
LEBANON, NEW HAMPSHIRE

ADVANCED GEOMATICS & DESIGN
18 BANK STREET - PO BOX 512
LEBANON, NEW HAMPSHIRE 03766
PHONE: (603) 448 6295
E-MAIL: advancedgeomatics@comcast.net

SURVEYED:	BA/VT GEO
DESIGNED:	DAN
DRAWN:	KH
CHECKED:	DAN
DATE:	11/9/15

ICV
PHASE II

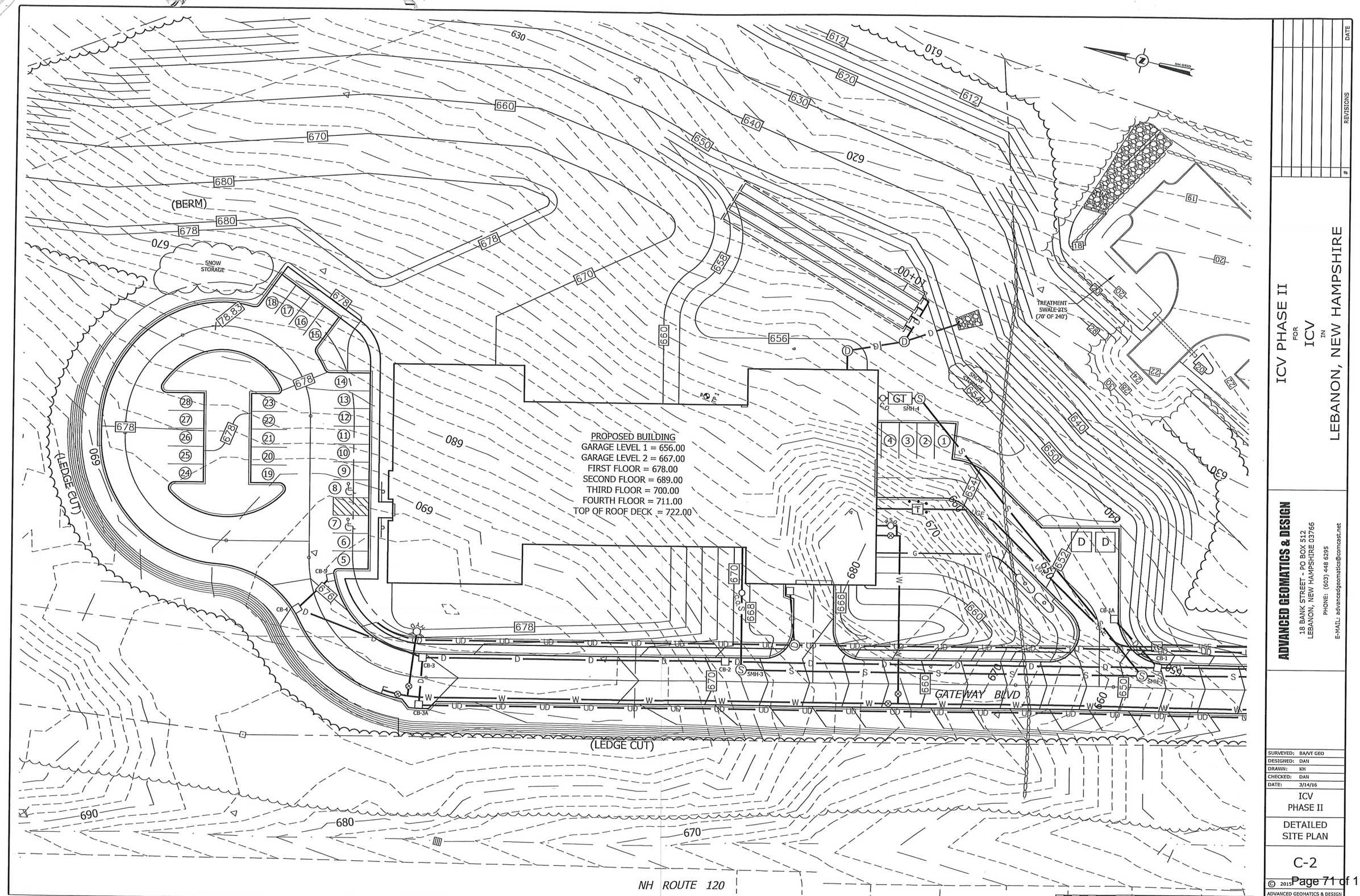
CONTEXT
PLAN

OA-1

© 2015
ADVANCED GEOMATICS & DESIGN

DWG: 15014-OA.DWG

\2015_projects\15-014\15014-OA.dwg, OA-1, 11/9/2015 3:35:59 PM


PROPOSED BUILDING
GARAGE LEVEL 1 = 656.00
GARAGE LEVEL 2 = 667.00
FIRST FLOOR = 678.00
SECOND FLOOR = 689.00
THIRD FLOOR = 700.00
FOURTH FLOOR = 711.00
TOP OF ROOF DECK = 722.00
(BERM)
SNOW STORAGE
(LEDGE CUT)
TREATMENT SWALE-DTS (70' OF 240')
GATEWAY BLVD
NH ROUTE 120
ICV PHASE II
FOR
ICV
IN
LEBANON, NEW HAMPSHIRE
ADVANCED GEOMATICS & DESIGN
18 BANK STREET - PO BOX 512
LEBANON, NEW HAMPSHIRE 03766
PHONE: (603) 448 6295
E-MAIL: advancedgeomatics@comcast.net
SURVEYED: BA/VT GEO
DESIGNED: DAN
DRAWN: KH
CHECKED: DAN
DATE: 3/14/16
ICV
PHASE II
DETAILED
SITE PLAN
C-2
© 2015 ADVANCED GEOMATICS & DESIGN
REVISIONS
DATE

Agenda
Planning Board
February 8, 2021

Agenda Item #4A
Other Business

Novo Nordisk, 5 Technology Drive (Tax Map 130, Lot 1), zoned IND-L

PB2021-04-CON

CITY OF LEBANON
APPLICATION FOR

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

☐ OTHER _____

PROPERTY OWNER (APPLICANT):

NAME: Novo Nordisk - Stuart Sawyer TEL.#: 603-667-8290

MAILING ADDRESS: 9 Technology Drive, W. Lebanon, NH 03784

E-MAIL ADDRESS: zsaw@novonordisk.com

CO-APPLICANT, AGENT, OR LESSEE:

NAME: DPS Group - Carlos Pascoal TEL.#: 774-777-5364

MAILING ADDRESS: 959 Concord Street, Suite 100, Framingham, MA 01701

E-MAIL ADDRESS: carlos.pascoal@dpsgroupglobal.com

PROJECT LOCATION:

TAX MAP #: 130 LOT#: 1 PLOT #: ZONE: IND-L

STREET ADDRESS OF PROJECT: 5 Technology Drive, W. Lebanon, NH 03784

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

FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:

7000 sf warehouse expansion including demolition of exiting shell space and ground-up construction for new refrigerated warehouse and supporting infrastructure.

TYPE OF OCCUPANCY:

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

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on February 8th, 2021, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: Stuart Sawyer DATE: 1 FEB 2021

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

PROPERTY OWNER: _____ DATE: 01 Feb 2021

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - $ AMOUNT	DATE PAID	VOUCHER #
1-11-2021	130-1	PB2021-04-CON	NA	NA	NA

(Last Revised 4/04/18)

DPS Project Note

DOCUMENT NO.: D19BP142-PN-001
REVISION: A
DATE: 08-Jan-2021

IND-L

PROJECT NOTE NO.	001
PROJECT NAME	5 Technology Drive Upgrade
PROJECT NUMBER	D19BP142
DATE	08-Jan-2021
SUBJECT	Project Description
PREPARED BY	Christopher McLaughlin, Project Manager
DATE ISSUED	11-Jan-2021

The Novo Nordisk facility at 5 Technology Drive in West Lebanon, NH consists of currently occupied space, as well as 10,000-sf of unoccupied space. The intent of this renovation is to demolish the 10,000 sf of the unoccupied space to build a new warehouse, including 7,000-sf of building footprint addition, that incorporates energy efficiency. The occupied space is in the eastern side of the building and houses a Laboratory Function, Active Warehouse, and an Administration area. This occupied area of the building will be protected during construction to ensure no disruption of existing operations.

Demolition and ground-up construction will include a new slab and structural reinforcement for various functions and building heights. An existing demising wall exists between the occupied and un-occupied space. The intent is to create an opening in the demising wall once the new space is qualified, to create one unified warehouse space.

A 7,000-sf high-bay warehouse will sit within the demolished 10,000-sf footprint and will accommodate high density narrow aisle racking with the space controlled to a 20-25°C temperature requirements. The remaining 3,000-sf of the demolished footprint will accommodate:

- Relocation of existing shipping & receiving functions in the building
- Warehouse space with 20-25°C temperature requirements using standard pallet floor storage and low-bay pallet racks, as well as a carrousel unit for small parts
- Refrigerator space for 2-8°C product storage
- -20°C freezer storage
- -80°C freezer storage

A 5,000-sf addition to the facility footprint will accommodate:

- Warehouse administrative space
- Shell space building expansions for future office space and conference rooms
- Future mezzanine space allocated to accommodate an upcoming mechanical equipment replacement for office and labs

Finally, a 2,000-sf addition will be included to accommodate mechanical and electrical utilities and space for large equipment (non-operational) storage.

1/11/2021 130-1 PB2021-04-Con

The existing parking area to the north of the building will be modified to accommodate the proposed building addition. Except for removing the dead-end parking at the front of the building and removing 2 parking spaces in the back for a relocated generator, the on-site circulation will remain essentially unchanged. No changes are proposed to the existing site access as part of this project. The expanded building will require 62 parking spaces per the local zoning requirements, where 85 parking spaces exist on the site and 76 spaces will be provided in the proposed condition. The existing site utilities will remain with minimal changes to accommodate the proposed layout and demands of the building. The existing stormwater management system will be maintained. Improvements to the system will be made so the proposed stormwater conditions match the existing.

DPS Project Note

DOCUMENT NO.: D19BP142-PN-002
REVISION: A
DATE: 08-Jan-2021

PROJECT NOTE NO.	002
PROJECT NAME	5 Technology Drive Upgrade
PROJECT NUMBER	D19BP142
DATE	08-Jan-2021
SUBJECT	City of Lebanon Master Plan Impact Statement
PREPARED BY	Christopher McLaughlin, Project Manager
DATE ISSUED	11-Jan-2021

This project involves an existing parcel in the Light Industrial Zoning District. The existing warehouse and office building will be expanded to better serve the use contained therein. The surrounding uses in the district are consistent with the use on the subject parcel. No changes to the existing use are anticipated as a result of the project. As this is an existing use which is allowed within the Zoning District, we believe that it is consistent with the Town's Master Plan and that the proposed project will not have any impacts on the same.

Refer to Project Note 001 (D19BP142-PN-001) for a detailed project description.

CITY OF LEBANON, NH
SUPPORT STATEMENT FOR CONCEPTUAL REVIEW
SITE PLAN

In accordance with Article IV, Section 4.3 of the City of Lebanon Site Plan Review Regulations, the applicant shall submit the following information to the Planning Office at least two weeks before the date of the scheduled Conceptual Review:

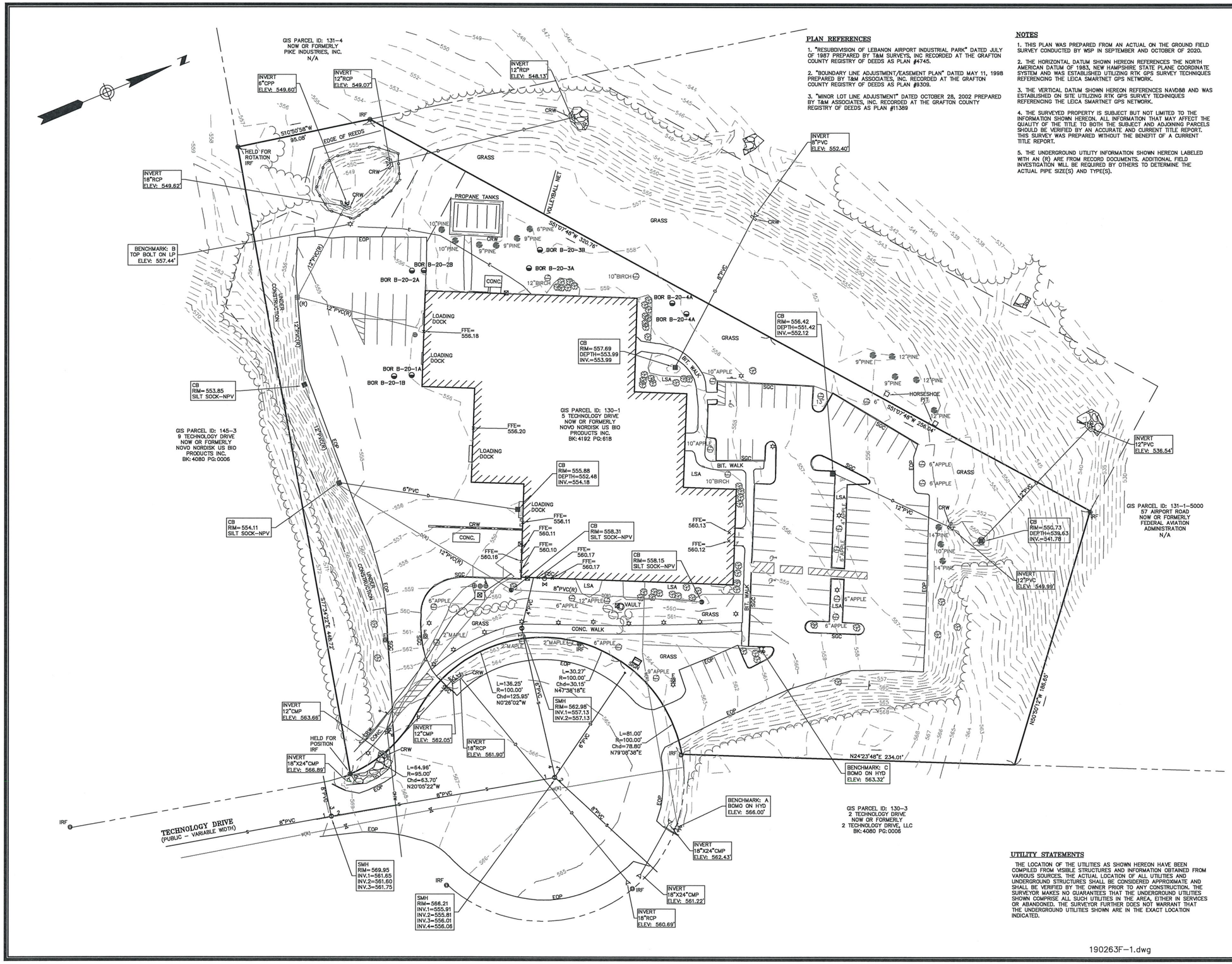
- ☐ A project description.
- ☐ A written statement addressing how the concept conforms with the Master Plan.
- ☐ A sketch plan, based on a USGS or similar map of sufficient accuracy and quality, showing:
  - ◊ Existing property lines of the parcel(s) under review;
  - ◊ General topography, highlighting slopes in excess of 25%;
  - ◊ Prominent natural features of the site, such as tree lines, watercourses, floodplains, wetlands, and ledge outcrops;
  - ◊ Approximate location and size of existing and proposed buildings, parking areas, roadways, and other improvements.

The Conceptual Review shall be limited to a discussion of the concept in general terms, for the purpose of familiarizing the Board with the location and type of development, and familiarizing the Applicant with the issues and concerns of the Board. The Board shall consider whether the proposed development is an allowed use in the Zoning Ordinance and in accordance with the Master Plan. The Board shall determine whether the development is compatible with any plans for existing or future roads, utilities, and services. The Board shall focus on the characteristics of the site and its relationship to the surrounding area to determine how well the proposed development fits into the natural environment and the cultural landscape, including historical resources.

While a Conceptual Review is optional, it is strongly recommended, particularly for larger developments, as it can help identify and resolve issues at an early stage and save the applicant the time and cost of changes at a later date.

The Applicant may end the Conceptual Review at any time. Public notice of the Conceptual Review is not required, but such discussions shall only take place at a formal meeting of the Board. Such Conceptual Review shall not bind either the applicant or the Board in any manner and statements made by Board members shall not be the basis for disqualifying said members or invalidating any action taken.

(Last Revised 05/22/13)



PLAN REFERENCES

1. "RESUBDIVISION OF LEBANON AIRPORT INDUSTRIAL PARK" DATED JULY OF 1987 PREPARED BY T&M SURVEYS, INC RECORDED AT THE GRAFTON COUNTY REGISTRY OF DEEDS AS PLAN #4745.

2. "BOUNDARY LINE ADJUSTMENT/EASEMENT PLAN" DATED MAY 11, 1998 PREPARED BY T&M ASSOCIATES, INC. RECORDED AT THE GRAFTON COUNTY REGISTRY OF DEEDS AS PLAN #9309.

3. "MINOR LOT LINE ADJUSTMENT" DATED OCTOBER 28, 2002 PREPARED BY T&M ASSOCIATES, INC. RECORDED AT THE GRAFTON COUNTY REGISTRY OF DEEDS AS PLAN #11389

NOTES

1. THIS PLAN WAS PREPARED FROM AN ACTUAL ON THE GROUND FIELD SURVEY CONDUCTED BY WSP IN SEPTEMBER AND OCTOBER OF 2020.

2. THE HORIZONTAL DATUM SHOWN HEREON REFERENCES THE NORTH AMERICAN DATUM OF 1983, NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM AND WAS ESTABLISHED UTILIZING RTK GPS SURVEY TECHNIQUES REFERENCING THE LEICA SMARTNET GPS NETWORK.

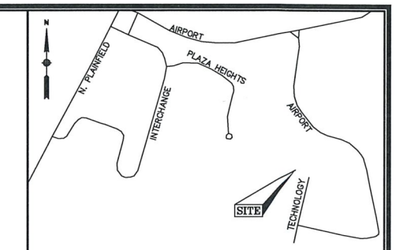
3. THE VERTICAL DATUM SHOWN HEREON REFERENCES NAVD88 AND WAS ESTABLISHED ON SITE UTILIZING RTK GPS SURVEY TECHNIQUES REFERENCING THE LEICA SMARTNET GPS NETWORK.

4. THE SURVEYED PROPERTY IS SUBJECT BUT NOT LIMITED TO THE INFORMATION SHOWN HEREON. ALL INFORMATION THAT MAY AFFECT THE QUALITY OF THE TITLE TO BOTH THE SUBJECT AND ADJOINING PARCELS SHOULD BE VERIFIED BY AN ACCURATE AND CURRENT TITLE REPORT. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.

5. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON LABELED WITH AN (R) ARE FROM RECORD DOCUMENTS. ADDITIONAL FIELD INVESTIGATION WILL BE REQUIRED BY OTHERS TO DETERMINE THE ACTUAL PIPE SIZE(S) AND TYPE(S).

UTILITY STATEMENTS

THE LOCATION OF THE UTILITIES AS SHOWN HEREON HAVE BEEN COMPILED FROM VISIBLE STRUCTURES AND INFORMATION OBTAINED FROM VARIOUS SOURCES. THE ACTUAL LOCATION OF ALL UTILITIES AND UNDERGROUND STRUCTURES SHALL BE CONSIDERED APPROXIMATE AND SHALL BE VERIFIED BY THE OWNER PRIOR TO ANY CONSTRUCTION. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICES OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED.



LOCUS MAP
(N.T.S.)

LEGEND

BOMO	BOLT OVER MAIN OUTLET
EOP	EDGE OF PAVEMENT
SGC	SLOPED GRANITE CURB
LSA	LANDSCAPED AREA
FFE	FINISHED FLOOR ELEVATION
CRW	CONCRETE RETAINING WALL
RCP	REINFORCED CONCRETE PIPE
CPP	CORRUGATED PLASTIC PIPE
PVC	POLYVINYL CHLORIDE
INV.	INVERT
(R)	RECORD INFORMATION
NPV	NO PIPES VISIBLE

IRF IRON ROD FOUND
ROUND CATCH BASIN
CATCH BASIN
CULVERT
SEWER MANHOLE
ELECTRIC BOX
ELECTRIC HANDHOLE
WATER GATE
FIRE HYDRANT
UTILITY POLE, LIGHT AND RISER
DECIDUOUS TREE
CONIFER TREE
SHRUB
SIGN (SINGLE POSTED)
BORING
LIGHT POLE
BOLLARD
HANDICAP PARKING
FDC FIRE DEPARTMENT CONNECTION
ABUTTERS LOT LINE
PROPERTY LINE
EASEMENT
SILT FENCE
SHRUB LINE
TREE LINE
558 INTERMEDIATE CONTOURS
560 INDEX CONTOURS
S SEWER LINE
D DRAIN LINE
G GAS LINE
E UNDERGROUND ELECTRIC
C UNDERGROUND CABLE
OHW OVERHEAD WIRES
D(R) RECORD DRAIN LINE
W(R) RECORD WATER LINE
RIP RAP AREA

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

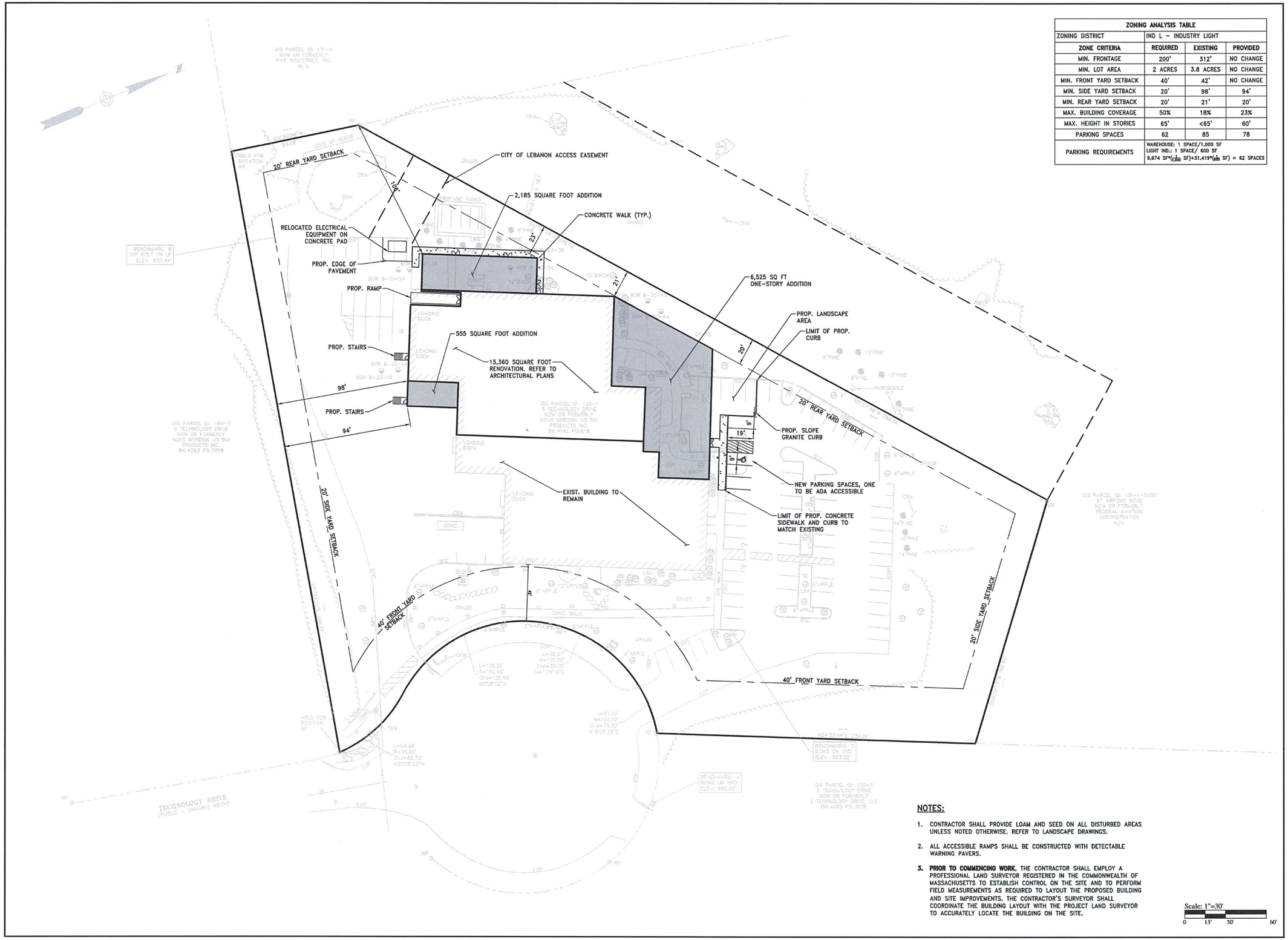
REVISION	
DATE	DESCRIPTION
--/--/--	---

EXISTING CONDITIONS PLAN
5 TECHNOLOGY DRIVE
LEBANON, NEW HAMPSHIRE
PREPARED FOR
PARE CORPORATION

WSP USA Inc.
9 Executive Park Dr, Suite 101
Merrimack, NH 03054
603-324-0894

Drawn By	CG, MS	Date	Job No.
Surveyed By	TO, CG	OCTOBER 16, 2020	190263F
Checked By	DPP	Scale	Sheet No.
Book No.	M-7	1" = 30'	1 OF 1

ZONING ANALYSIS TABLE			
ZONING DISTRICT	IND L – INDUSTRY LIGHT		
ZONE CRITERIA	REQUIRED	EXISTING	PROVIDED
MIN. FRONTAGE	200'	312'	NO CHANGE
MIN. LOT AREA	2 ACRES	3.8 ACRES	NO CHANGE
MIN. FRONT YARD SETBACK	40'	42'	NO CHANGE
MIN. SIDE YARD SETBACK	20'	98'	94'
MIN. REAR YARD SETBACK	20'	21'	20'
MAX. BUILDING COVERAGE	50%	18%	23%
MAX. HEIGHT IN STORIES	65'	<65'	60'
PARKING SPACES	62	85	78
PARKING REQUIREMENTS	WAREHOUSE: 1 SPACE/1,000 SF LIGHT IND.: 1 SPACE/ 600 SF 9,674 SF*(1/1,000 SF)+31,419*(1/600 SF) = 62 SPACES		



NOTES:

1. CONTRACTOR SHALL PROVIDE LOAM AND SEED ON ALL DISTURBED AREAS UNLESS NOTED OTHERWISE. REFER TO LANDSCAPE DRAWINGS.
2. ALL ACCESSIBLE RAMPS SHALL BE CONSTRUCTED WITH DETECTABLE WARNING PAVERS.
3. **PRIOR TO COMMENCING WORK,** THE CONTRACTOR SHALL EMPLOY A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE COMMONWEALTH OF MASSACHUSETTS TO ESTABLISH CONTROL ON THE SITE AND TO PERFORM FIELD MEASUREMENTS AS REQUIRED TO LAYOUT THE PROPOSED BUILDING AND SITE IMPROVEMENTS. THE CONTRACTOR'S SURVEYOR SHALL COORDINATE THE BUILDING LAYOUT WITH THE PROJECT LAND SURVEYOR TO ACCURATELY LOCATE THE BUILDING ON THE SITE.

PARE
PARE CORPORATION
ENGINEERS - SCIENTISTS - PLANNERS
10 LINCOLN ROAD, SUITE 210
FOXBORO, MA 02035
508-543-1755

SCALE ADJUSTMENT GUIDE
0" 1"
BAR IS ONE INCH ON ORIGINAL DRAWING

Novo Nordisk Warehouse Renovation

5 Technology Drive
Lebanon, NH

REVISIONS:

PROJECT NO.:	20139.00
DATE:	JAN. 2021
SCALE:	1"=30'
DESIGNED BY:	BB
CHECKED BY:	NC
DRAWN BY:	AWB
APPROVED BY:	LAH

DRAWING TITLE:
GENERAL PLAN

DRAWING NO.: C2.1

SHEET NO. ___ OF ___

Agenda
Planning Board
February 8, 2021

Agenda Item #4B
Other Business

XYZ Dairy, LLC, 55 Crafts Avenue & 0 Beyerle Street (Tax Map 58, Lots 20 & 18), zoned R-3

PB2021-05-CON

CITY OF LEBANON
APPLICATION FOR

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

☑ OTHER Conceptual Subdivision

PROPERTY OWNER (APPLICANT):

NAME: XYZ Dairy, LLC TEL.#: 603-676-7800

MAILING ADDRESS: 57 Main Street, W. Lebanon, NH 03755

E-MAIL ADDRESS: angela@lymeproperties.com

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Chet Clem, Lyme Properties TEL.#: 603-676-7106

MAILING ADDRESS: 57 Main Street, W. Lebanon, NH 03755

E-MAIL ADDRESS: chet@lymeproperties.com

PROJECT LOCATION:

TAX MAP #: LOT#: 58-18, 58-20 PLOT #: ZONE: R-3

STREET ADDRESS OF PROJECT: 55 Crafts Avenue, 0 Beyerle Street

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

FLOOD PLAIN ☐ YES ☑ NO

SCOPE OF PROJECT:

Subdivision of Parcel 58-18 into two buildable lots, with frontage on so-called Dartmouth Street (Beyerle Street).

Subdivision of Parcel 58-20, into 4 total lots, with frontage on so-called Dartmouth St. and Chandler St./Shared Driveway

TYPE OF OCCUPANCY:

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

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on February 8, 2021, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: David Clem DATE: 2/1/2021

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

PROPERTY OWNER: David Clem DATE: 2/1/2021

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - $ AMOUNT	DATE PAID	VOUCHER #
1/12/2021	58-18+ 58-20	PB2021-05-CON	NA	NA	NA

(Last Revised 4/04/18)

January 11, 2021

City of Lebanon
Planning Department
51 N. Park St.
Lebanon, NH 03766

Re: Request For Conceptual Review: Major Subdivision Application, Parcels 58-18 & 58-20

To Whom It May Concern:

Herein and attached please find information regarding a proposed subdivision by Lyme Properties on behalf of XYZ Dairy, LLC (XYZ), the owner of record of Parcel 58-18 (0 Beyerle Street) and Parcel 58-20 (55 Crafts Avenue).

In accordance with Section 7.3.A. of the City of Lebanon Subdivision Regulations we request that this be included on the February 8, 2021 Lebanon Planning Board agenda for the purposes of a Conceptual Review.

This proposed subdivision requires extension of, and connection to, the City of Lebanon's municipal sewer and water systems, so it is therefore our understanding that this proposal will be considered as a Major Subdivision Application. We do, however, believe that this represents an as-of-right proposal given the City's December 14, 2020 declaration of so-called "Dartmouth Street" as a plated street with fee ownership controlled by the City of Lebanon. The City's decision in turn provides the legal street frontage for four (4) of the six (6) proposed lots.

It should be noted that XYZ remains in objection to the City's position on these paper streets and we have provided Attorney Philip Hastings' title research and legal analysis (Appendix K) substantiating our position. It has been our position since purchasing the properties in 2017 that by nature of owning to the centerline of the unaccepted street, Parcels 58-18 and 58-20 effectively own the so-called Dartmouth Street corridor between the Eastern and Western bounds of the two parcels, as reflected by the installation of the current fence along the Eastern property line. XYZ Dairy has never claimed any ownership or control over the segment of the paper street running between Parcels 58-17 and 58-19.

The City's position per the December 14, 2020 communication means that we are no longer able to continue the quiet and peaceful enjoyment of the parcels as originally intended when we purchased the property. As such, XYZ Dairy, LLC has elected to subdivide and develop the lots in accordance with the rights so granted by the municipal street frontage.

We have attached (Appendix A) a diagram of the area, lots, and streets in question in the form of a survey of the existing parcels completed by Paton Land Surveying of Springfield, Vt. on September

26, 2017. The Paton survey also reflects the original subdivision lots as proposed in the 1912 H.O. Rugg "Plan of Lots of George R. Beyerle, West Lebanon, NH" as recorded in the Grafton County Registry of Deeds (Book 433, Page 165). The 1912 Beyerle plan, upon which the City of Lebanon has based their claim of ownership, is also attached (Appendix C). The modern-day bounds of Parcel 58-18 and Parcel 58-20 overlaid in yellow for reference.

Although the Lebanon Subdivision Regulations do not require notifying abutting property owners at the Conceptual Review stage, XYZ has elected to communicate our intent to all abutting property owners, as well as the Crafts Avenue Neighborhood mailing list, reflecting the transparency we have maintained with the public throughout all of our development processes. We have also included all landowners who stand to be affected by the City's claim to the four (4) paper streets (so called: Dartmouth Street, Chandler Street, Lincoln Avenue, and Greenwaye Street).

Project Description

XYZ Dairy, LLC proposes to subdivide Parcel 58-18 and Parcel 58-20 into a total of six (6) separate and distinct lots, all of which will be in compliance with the Subdivision Regulations and Zoning Ordinance of the City of Lebanon. The resultant development will create one (1) parcel consisting of the existing house at 55 Crafts Avenue and approximately 19,074 S.F. of land and 115' of frontage along Crafts Avenue; one (1) parcel accessible via shared use of the existing private driveway (or an improvement of so-called Chandler Street should the City require it); and four (4) single-family home parcels accessible via a western extension of the so-called Dartmouth Street (now known as Beyerle Street) each in excess of 10,000 S.F. and with greater than 75' of street frontage. Additional information about the existing and proposed lots follows herein.

7.3.B (1): The existing boundary lines of the lots under review are illustrated in the 2017 Paton Survey attached as Appendix A. Of note, the City of Lebanon's GIS records do not accurately reflect the boundary between Parcel 58-18 and the abutting Parcel 58-16. The specific discrepancy is a 12.2' x 191.55' area of encroachment by Parcel 58-16's chain link fence onto Parcel 58-18, which is marked on the Paton survey as "Area of Encroachment" and expounded upon below and in more detail in the January 11, 2021 memo to David Brooks (Appendix .

7.3.B (2): As illustrated in the City of Lebanon GIS map (attached as Appendix D) the only slopes evident on either Parcel in excess of 25% are located on Parcel 58-20 and as proposed will remain in their existing condition and unaltered as part of proposed Lot A.

7.3.B (3): The site is an open field, improved by existing primary and secondary structures on Parcel 58-20 and a fence along the eastern boundary of Parcels 58-18 and 58-20 that was installed by XYZ Dairy, LLC. A tree line runs along the southern-side of the aforementioned encroaching fence installed by the previous owner of Parcel 58-16. Although XYZ may seek to have the encroaching fence removed to the deeded property line, we believe the tree line falls within the 20' rear yard setback of proposed Parcels E and F and will thus seek to protect those trees. Similarly, XYZ seeks

to protect existing trees on and along the boundaries of Parcels 58-18 and 58-20, although there may be some trees impacted by the improvement of the so-called Dartmouth Street.

As illustrated in the City of Lebanon GIS map overlays (attached as Appendixes D-H) there are no watercourses, floodplains, or wetlands evident on either Parcel. Both parcels fall outside of the 150' NH DES Shoreland Protection Zone and all development activities will be done in accordance with NH DES rules & regulations.

7.3.B (4): Appendix B contains the conceptual location and size of proposed lots, with a narrative description of the subdivision following herein. It is premature at this phase to establish precise building footprints, as akin to the Crafts Avenue Extension subdivision those decisions are best determined during the architectural design and building permit phase. However, each lot allows for a suitable building envelope as established by the dimensional requirements and setbacks of the R-3 Zone as outlined in Appendix J.

The 25% maximum building coverage ratio will maintain a significant amount of open space per Lot, similar to existing single-family home parcels in the neighborhood. Additionally, these lots benefit from proximate access to the publicly accessible open space and trail network at River Park. Furthermore, in Section 7.3.B (5)(c) we propose how the City's claim to fee ownership of so-called Lincoln Avenue and Greenwaye Street creates an opportunity to achieve even greater public open space and recreational opportunities that could connect with existing and proposed trail networks in West Lebanon and beyond.

Parcel 58-18
Parcel 58-18 (0.59 Acres, 25,700 S.F.) is in the Lebanon R-3 zone and has an assessed land value of $12,900 as of 2020. Parcel 58-18 represents four (4) of the original 1912 Beyerle Plan lots (Lots 54, 55, 56, 57). There are currently no assessed improvements on Parcel 58-18, but there are existing fences along its Eastern and Southern bounds. The parcel is unencumbered by any recorded easements. As proposed, Parcel 58-18 will be divided into two (2) separate and distinct lots (shown on Appendix TK as Lot E and Lot F) of approximately 12,850 sq. ft., with each lot having approximately 83' of frontage on the so-called Dartmouth (Beyerle) Street.

There is a known and identified area of encroachment (12.2' x 191.55') by the abutting property (Parcel 58-16) along the Southern end of Parcel 58-18 representing an issue that lends itself to resolution as part of this subdivision process to protect and perfect title on Parcel 58-18 and proposed Lot E and Lot F. The details of that encroachment are explained in detail in section 7.3.B (5)(b).

Parcel 58-20
Parcel 58-20 (1.21 Acres, 52,708 S.F.) is in the Lebanon R-3 zone and has an assessed land value of $99,800 as of 2020. Parcel 58-20 represents seven (7) of the original 1912 Beyerle Plan lots (Lots 58, 59, 60, 63, 77, 78, 79). There are presently $201,900 of assessed improvements on Parcel 58-20,

including the primary structure at 55 Crafts Avenue and two (2) accessory buildings located at the northwest of the parcel. The parcel is unencumbered by any recorded easements. As proposed, Parcel 58-20 will be divided into four (4) separate and distinct lots (shown on Appendix B as Lot A, Lot B, Lot C, and Lot D). The exact square footage of each lot will be determined at the time of the final Subdivision application, but each lot exceeds the 10,000 S.F. minimum lot size in the R-3 zone. Proposed Lots C and D will have frontage on the so-called Dartmouth (Beyerle) Street in excess of the 75' minimum frontage requirement.

The frontage and access of Lot B can be solved in one of two ways: 1) by utilization of the existing curb-cut and improved gravel roadway as a private driveway, which is the solution preferred by XYZ; or, 2) by frontage on an improved Chandler Street extension should the City wish to further establish its claim of so-called Chandler Street paper street akin to the claim to the parallel so-called Dartmouth Street. Further information regarding the Chandler Street confusion is addressed below in Section 7.3.B (5)(a).

7.3.B (5): There are two major issues and one conceptual improvement that we wish to discuss with the Board and Planning Department during this Conceptual Review so that our final subdivision application may be informed accordingly:

a) The lack of clarity on so-called Chandler Street arises from past decisions by the City, specifically the January 4, 2018 issuance of Building Permit #2017-00406 after the City of Lebanon Senior Planner and Zoning Administrator and the City Clerk determined that the so-called Chandler Street had not been accepted by the City of Lebanon and, per Mr. Corwin's November 27, 2017 email communication, "the dedication will have lapsed if it was made prior to 1969." (Attached as Appendix K)

   Mr. Corwin's decision at that time was in agreement with XYZ's position based upon the 2017 title search, title insurance, and zoning analysis completed by Attorney Hastings. In addition to being required for the issuance of the building permit, this mutual understanding was the basis for XYZ's belief that we were within our rights to install the fence along what we believe to be the contiguous eastern boundary of Lots 58-18 and 58-20. Further information regarding these items can be found in our January 11, 2021 letter (attached as Appendix L) to David Brooks in response to his December 14, 2020 email stating the City's evolving position on the matter of the paper streets in question.

   As outlined above, it would be our preference to provide access to proposed Lot B via the existing gravel driveway that has been previously improved by XYZ in this location. Based on agreements of the predecessors in title. We invite our abutting neighbors at Parcels 58-21-100 and 58-21-200 to provide input on this matter as they stand to be directly impacted should the un-improved section of Chandler Street be declared a municipal street.

b) The encroachment (as illustrated as "Area of Encroachment" in the Paton Survey, Appendix A) was identified during the 2017 acquisition of the property, and through our attorney we sought to address and resolve the issue after closing. A license agreement that addressed the encroachment by offering continued use of the affected area while protecting XYZ's property rights was submitted to the owner of Parcel 58-16 in December of 2017. That offer was rejected and a claim of adverse possession made by the Attorney for the Parcel 58-16 owner. XYZ has subsequently incurred additional legal expenses to secure signed affidavits establishing the known encroachment and refuting the erroneous claim of adverse possession. XYZ seeks closure of this issue as part of the subdivision process. Having established ownership of the area in question through tax record, title, deed records, and the 2017 Paton survey, this subdivision approval will also substantiate the legal property bounds of the current and proposed lots.

c) If the Planning Director's opinion is confirmed by the Planning Board, the so-called Lincoln Avenue and Greenwaye Streets represent a potential corridor for the creation of a waterfront trail that could run from the south boundary of Lot 6 at River Park (where the trail network exists and is being improved upon by the *Friends of River Park* in collaboration with the *Upper Valley Trails Alliance*) to Bridge Street/Route 4. A strong argument can be made to relocate the Greenway Street right-of-way from between Parcel 58-1 and Parcel 58-2 to the western/riverfront side of Parcel 58-1, aligning with the pedestrian underpass constructed as part of the new Lyman Bridge that was completed in 2017, and allowing more flexibility for the future redevelopment of Parcels 58-1 and 58-2 as illustrated in Figure 8 of the West Lebanon Village Visioning Charrette Report published in April, 2020. This trail corridor also aligns with the Bridge Street Park and sewer easement trail as proposed in the 2004 Westboro Riverfront Park Design Study, and revisited as an implementation strategy in the 2020 report.

Proposed Subdivision's Conformity with City of Lebanon Master Plan

This proposed subdivision is in keeping with the goals and objectives of City of Lebanon's 2012 Master Plan, specifically as it "shall encourage a range of housing options for all segments of the population," and "new housing development should contribute positively to existing neighborhoods and create safe and desirable new neighborhoods consistent with the other planning goals of the City." The subdivision will create an additional five (5) housing lots at a time when City and Regional planners are calling for the creation of "a variety of housing options" as supply has not kept up with increasing regional demand.

The Crafts Avenue Neighborhood is one of the finest in the City of Lebanon and has been the site of varied single-family housing development since the late 19th century. The "Crafts Avenue Phase II Report" by the Lebanon Heritage Commission documents the architectural history of the neighborhood. This proposal is an adaptation of the previously considered Beyerle Subdivision. As per Section 7-B-2 of the Master Plan, this proposal endeavors to "incorporate the characteristics

that have made [this] traditional neighborhood attractive places to live for generations of City residents."

Although not as dense as originally intended in the 1912 Beyerle Plan, this subdivision does meet the current dimensional requirements of the Residential Three District (R-3) in the City of Lebanon's Zoning Ordinance, which is "intended to provide areas primarily for single family residential neighborhoods." Similar to the Crafts Avenue Extension subdivision, we will encourage distinct and diverse architectural styles that reflect the varied aesthetic character that presently exists along Crafts Avenue. It should also be noted that the newly-created parcels fall outside the "Historic District Boundary" as proposed by the Lebanon Heritage Commission report– which has not been accepted by the New Hampshire Division of Historical Resources.

The Master Plan also encourages the good planning principle of developing housing near existing infrastructure, which is more fiscally responsible than low-density development in outlying areas. This location makes use of existing municipal services that were upgraded and expanded during the Crafts Avenue Sewer and Roadway Improvement (CASRI) project completed by XYZ Dairy, LLC in 2018-2019 and illustrated in Appendix I. Given our familiarity with the existent infrastructure from the CASRI project– specifically the City's election to up-size the sewer line from what was required by the River Park development to allow additional capacity for future development, and the addition of a new water main while XYZ was completing the Sewer and Roadway improvements– we are confident that the capacity exists. We are aware that XYZ will need City Council approval for connecting to City Utilities, and will seek a Sewer Use Permit Application, Notice of Permitted Allocation, and a Water Use Permit Application from the Department of Public Works in advance of submitting the final Major Subdivision Application.

Additionally, the neighborhood is proximate to downtown West Lebanon, served by public transportation in the form of the *Advance Transit* Orange Line at N. Main Street and the four-line hub in front of the Kilton Library, and has easy access to existing and proposed trail networks as outlined in Section 7.3.B (5)(c).

The net result is an additional five (5) housing lots within an established residential neighborhood, one that is walkable to local shopping, jobs, utilities and services. This abides by the *Neighborhood Character and Design* goals championed in the Master Plan:

7 | D-4 **Neighborhood Character and Design**

The City should encourage the types of neighborhood development patterns that residents find most attractive. Existing patterns of development that have produced pleasant and congenial neighborhood development balanced with open space areas should be allowed to be replicated. New residential development should similarly be based on the conventions of traditional neighborhood development.

We look forward to discussing this application further at the February 8, 2021 City of Lebanon Planning Board meeting. If we can provide any additional information in support of this conceptual review packet, or answer any questions in the interim, please be in touch.

Sincerely,

Chet Clem

Chet Clem
Lyme Properties
57 Main Street
West Lebanon, NH 03784

Cc:
David Clem, Lyme Properties
Angela McCanna, Lyme Properties
Philip Hastings, Esq., Cleveland, Waters & Bass

Attachments:
Appendix A: Survey of Existing Parcels 58-18 & 58-20
Appendix B: Conceptual Subdivision Plan
Appendix C: 1912 Plan of Lots - Beyerle Subdivision
Appendix D: Lebanon GIS - Site Topography
Appendix E: Lebanon GIS - FEMA Flood Zones
Appendix F: Lebanon GIS - River Bank Protection District
Appendix G: Lebanon GIS - NH DES Shoreland Protection Zones
Appendix H: Lebanon GIS - Wetlands
Appendix I: Lebanon GIS - Utilities: Water and Drainage, Sewer System
Appendix J: Lebanon R-3 District Dimensional Requirements & Calculations
Appendix K: Title Analysis by Attorney Philip Hastings
Appendix L: 2017 Building Permit Communication
Appendix M: January 11, 2021 Response to Director of Planning

Appendix K: Title Analysis by Attorney Hastings

Attached

David Clem <dclem@lymeproperties.com>

RE: Beyerle Street Issue

1 message

Philip Hastings <hastingsp@cwbpa.com> Fri, Sep 4, 2020 at 11:19 AM
To: David Clem <dclem@lymeproperties.com>

David –

[redacted]

***

We have completed additional title research on the title to and status of Beyerle Street (f/k/a Dartmouth Street) as it affects the XYZ Dairy property off of Crafts Avenue (Tax parcels 58-2 and 58-18). As you know, title to the various lots and streets in this area derive from George R. Beyerle, who acquired title to a large tract of land between Main Street and the Connecticut River by deed dated September 26, 1892 and recorded at Book 411, Page 368. In or about 1910, Mr. Beyerle recorded a plan in the Registry of Deeds recorded at Book 433, Page 165 (multiple later deeds erroneously refer to the plan as being recorded at "Page 105"; there is no plan recorded at Book 433, Page 165). The Beyerle plan identifies 89 individually numbered lots and several streets, including Dartmouth Street. The Beyerles conveyed some of these lots prior to Ms. Beyerles' death in the 1930's, upon which R. G. Elliott and Donald E. Renehan ("doing business under name and style of... R. G. Elliott & Company") took title to the remainder of the Beyerle land by deed dated August 7, 1939 and recorded at Book 685, Page 582.

By deed dated December 29, 1939 and recorded at Book 737, Page 22, Elliott and Renehan conveyed to Sargent and Dorothy Daniels two separate parcels, the first comprised, collectively, of Lots 58, 59, 60, 63, 77, 78 and 79 and the second comprised, collectively, of Lots 52, 53, 54, 55, 56 and 57. These parcels were conveyed by reference to the Beyerle plan. Dartmouth Street is referred to as the southerly boundary of the first parcel and the northerly boundary of the second parcel. It is well-settled law that a conveyance of land bounded by a street is presumed to run to the center of the street unless a contrary intention is "plainly disclosed". Luneau v. MacDonald, 103 N.H. 273, 276 (1961). Furthermore, where lots are conveyed by reference to a recorded plan showing existing or proposed streets which constitute boundaries of the lots, the conveyance includes fee simple to the center line of the adjoining street. Gagnon v. Moreau, 107 N.H. 507, 509 (1967). Accordingly, since Elliott and Renehan did not specifically reserve any rights in Dartmouth Street, the Daniels acquired fee simple title of the portion of Dartmouth Street located between the two tracts described in the Elliott and Renehan deed (i.e., the portion of Dartmouth Street between Lots 56, 56, and 57 to the south and Lots 58 and 63 to the north, as shown on the Beyerle Plan).

Title to these lots (with the exception of the southerly portion of the second tract, i.e., Lots 52, 53 and portion of 54) – including ownership of the relevant portion of Dartmouth Street - has since passed to the current owner, XYZ Dairy, LLC, by virtue of the deed from the Farnsworths dated August 24, 2017 and recorded at Book 4307, Page 23. The purported blanket conveyance of Dartmouth Street to the City from Elliott and Renehan did not deprive the Daniels and their successors in title to fee simple in the portion of Dartmouth Street as conveyed to them. That conveyance was originally made by quitclaim deed dated September 25, 1940 (nine months after the conveyance to the Daniels) and corrected by instrument dated December 1940. Elliott and Renehan could only convey to the City whatever interest they held in the property at the time; the City could not, and did not, acquire any interest in Dartmouth Street to the extent that it had previously been conveyed.

Nor does the City retain any rights in Dartmouth Street by virtue of it being shown on the Beyerle plan. While this initially constituted a dedication of the street for public use, we are not aware of any evidence that the City formally accepted the street within the 20 years from the date of recording as required by state law in effect prior to 1989. See, generally, Waugh, 'A Hard Road to Travel' NHMA's Handbook on New Hampshire Law of Local Highways, Streets and Trails (1997 Edition) at 24-25.

The City's lack of any right, title or interest in the portion of Dartmouth Street (now Beyerle Street) running west from Crafts Avenue seems further evidenced by the historic use of this property. To our knowledge, there is no physical evidence of this portion of Dartmouth Street ever being used a public street. Beyerle Street ends at its intersection of Crafts Avenue and the sidewalk along westerly side of Crafts Avenue extends within the so-called right of way where it gives way to a parking space which appears to have been used exclusively by the owners of 45 Crafts Avenue.

Based on this information, we ask that the City confirm that XYZ Dairy, LLC is the owner of fee simple of the portion of Dartmouth Street (as shown on the Beyerle plan) located between Tax parcels 58-2 and 58-18) and that the City has no right, title or interest therein. I will be happy to review this further with Attorney Fillmore and coordinate with her on the proper form of such confirmation.

***

[redacted]

Appendix L: 2017 Building Permit Communication

Begin forwarded message:

From: "Corwin, Tim" <Tim.Corwin@lebcity.com>
Date: November 27, 2017 at 11:54:29 AM EST
To: '"boland.custom@gmail.com"' <boland.custom@gmail.com>
Cc: "Cushman, Leann" <Leann.Cushman@lebcity.com>, "Adams, Crystal" <Crystal.Adams@lebcity.com>
Subject: 55 Crafts Ave building permit_"paper street"

Hi Kurt,

Thank you for coming in this morning. I've asked the City Clerk to confirm the status of the "paper street" that abuts 55 Crafts Avenue. The question is whether the City has accepted the street. If it has not, then the dedication will have lapsed if it was made prior to 1969 (presumably it did given the age of the Crafts Ave subdivision). I'll let you know as soon as I hear back from the City Clerk.

Thank you, Tim

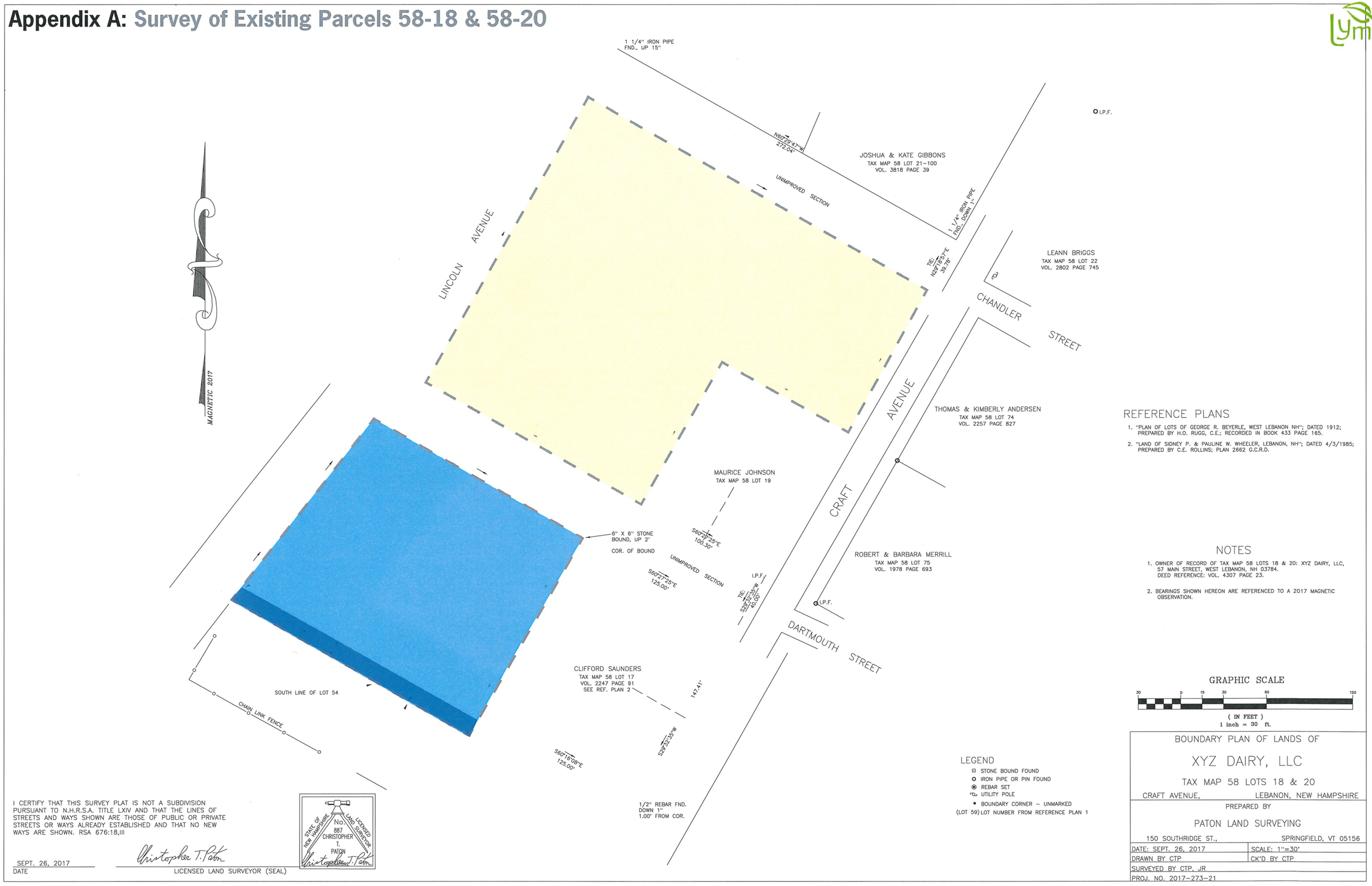
Tim Corwin, AICP

Senior Planner

City of Lebanon
51 North Park Street
Lebanon, NH 03766
603-448-1524 x1445

www.lebanonnh.gov

Appendix A: Survey of Existing Parcels 58-18 & 58-20



Appendix B: Conceptual Subdivision Plan

REFERENCE PLANS

1. "PLAN OF LOTS OF GEORGE R. BEYERLE, WEST LEBANON NH"; DATED 1912; PREPARED BY H.O. RUGG, C.E.; RECORDED IN BOOK 433 PAGE 165.
2. "LAND OF SIDNEY P. & PAULINE W. WHEELER, LEBANON, NH"; DATED 4/3/1985; PREPARED BY C.E. ROLLINS; PLAN 2662 G.C.R.D.

NOTES

1. OWNER OF RECORD OF TAX MAP 58 LOTS 18 & 20: XYZ DAIRY, LLC, 57 MAIN STREET, WEST LEBANON, NH 03784. DEED REFERENCE: VOL. 4307 PAGE 23.
2. BEARINGS SHOWN HEREON ARE REFERENCED TO A 2017 MAGNETIC OBSERVATION.

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

LEGEND

- STONE BOUND FOUND
- IRON PIPE OR PIN FOUND
- REBAR SET
- UTILITY POLE
- BOUNDARY CORNER – UNMARKED

(LOT 59) LOT NUMBER FROM REFERENCE PLAN 1

I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO N.H.R.S.A. TITLE LXIV AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN. RSA 676:18,III

STATE OF NEW HAMPSHIRE — No. 887 CHRISTOPHER T. PATON — LICENSED LAND SURVEYOR

SEPT. 26, 2017
DATE

Christopher T. Paton
LICENSED LAND SURVEYOR (SEAL)

BOUNDARY PLAN OF LANDS OF

XYZ DAIRY, LLC

TAX MAP 58 LOTS 18 & 20

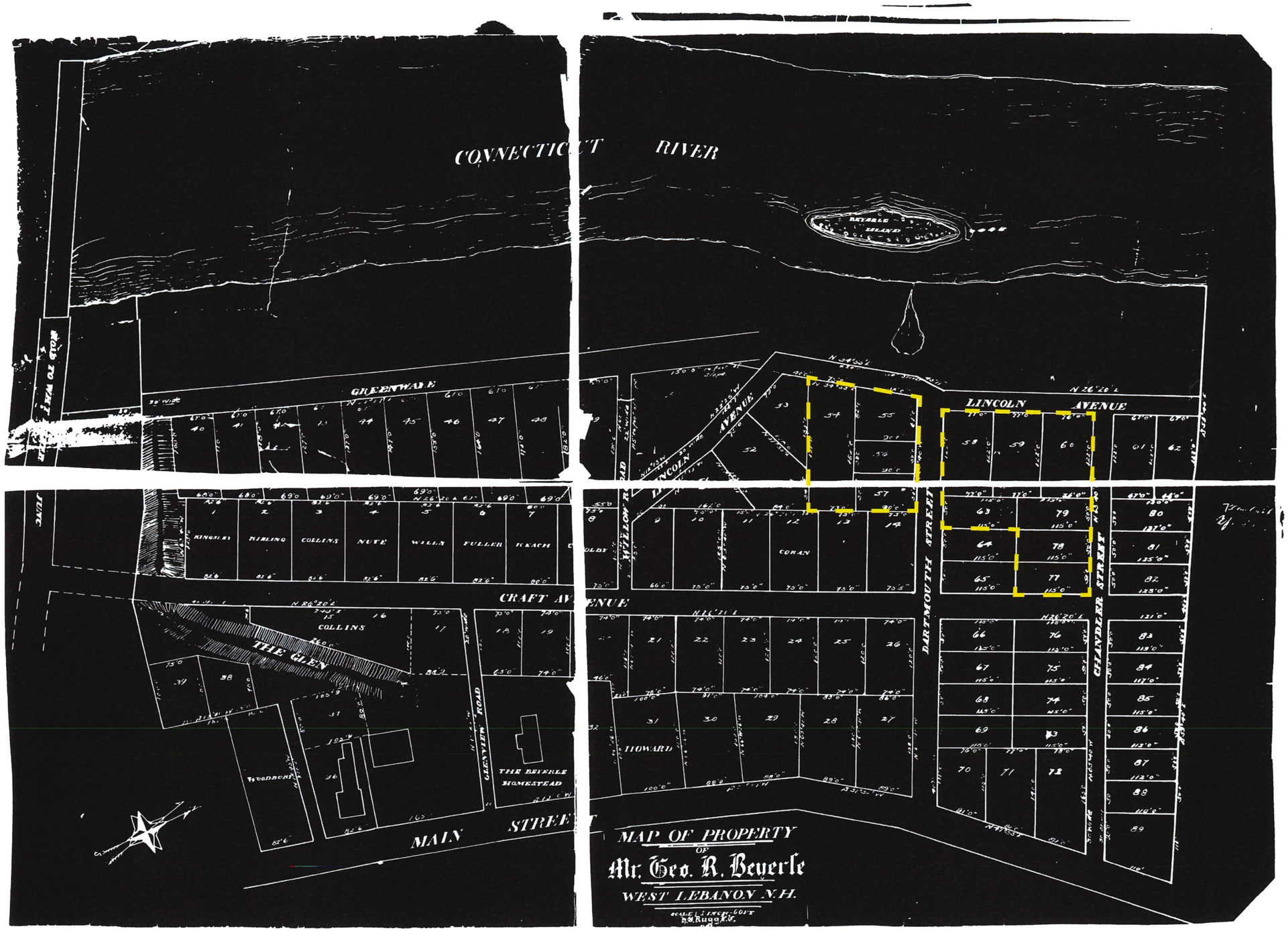
CRAFT AVENUE, LEBANON, NEW HAMPSHIRE

PREPARED BY

PATON LAND SURVEYING

150 SOUTHRIDGE ST., SPRINGFIELD, VT 05156

DATE: SEPT. 26, 2017	SCALE: 1"=30'
DRAWN BY CTP	CK'D BY CTP
SURVEYED BY CTP, JR	
PROJ. NO. 2017-273-21	



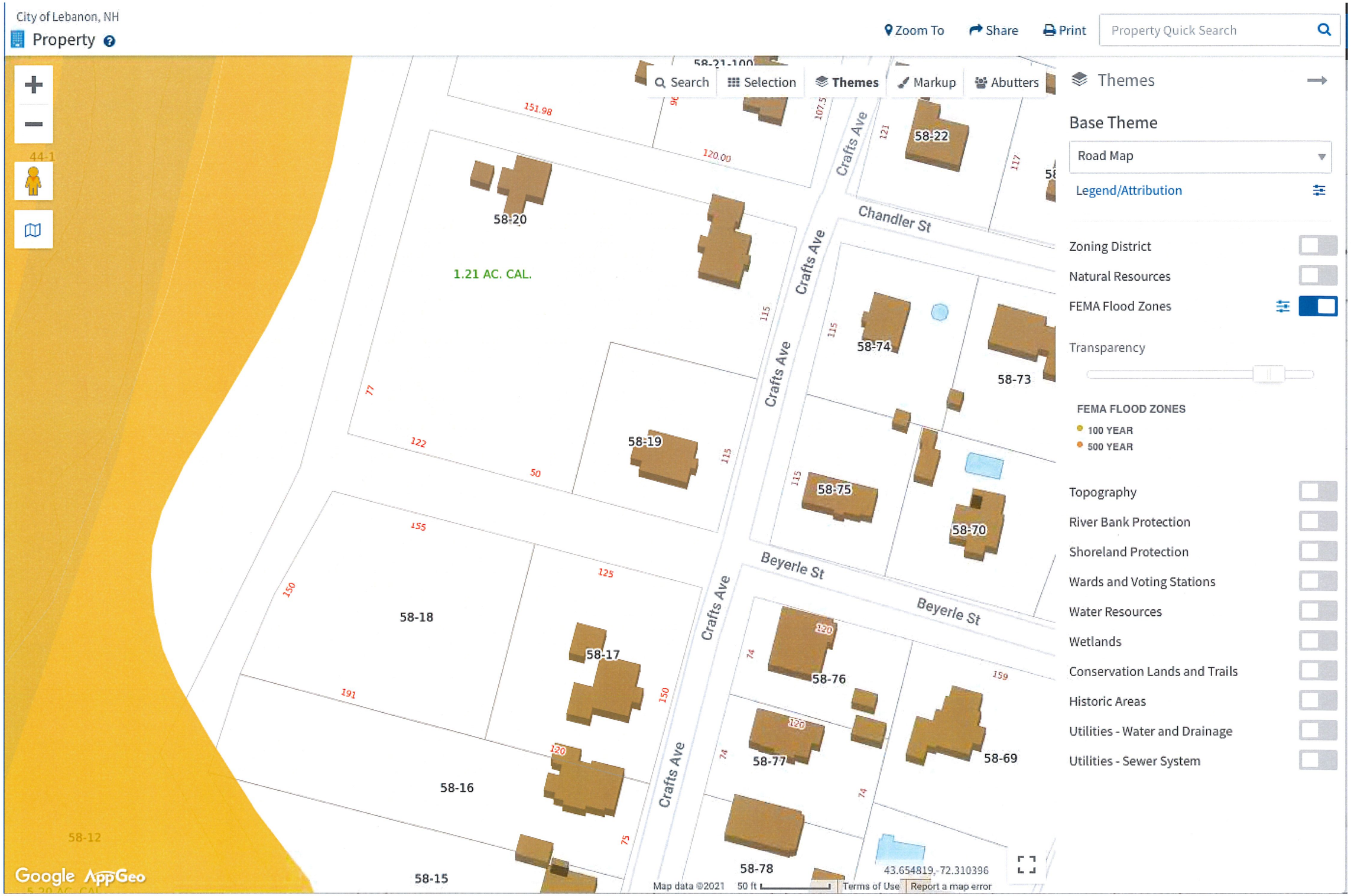
Plan of Lots of George R. Beyerle,
West Lebanon, NH"
Dated 1912
Prepared by H.O. Rugg, C.E.

As recorded in Grafton Country
Registry of Deeds
Book 433, Page 165.

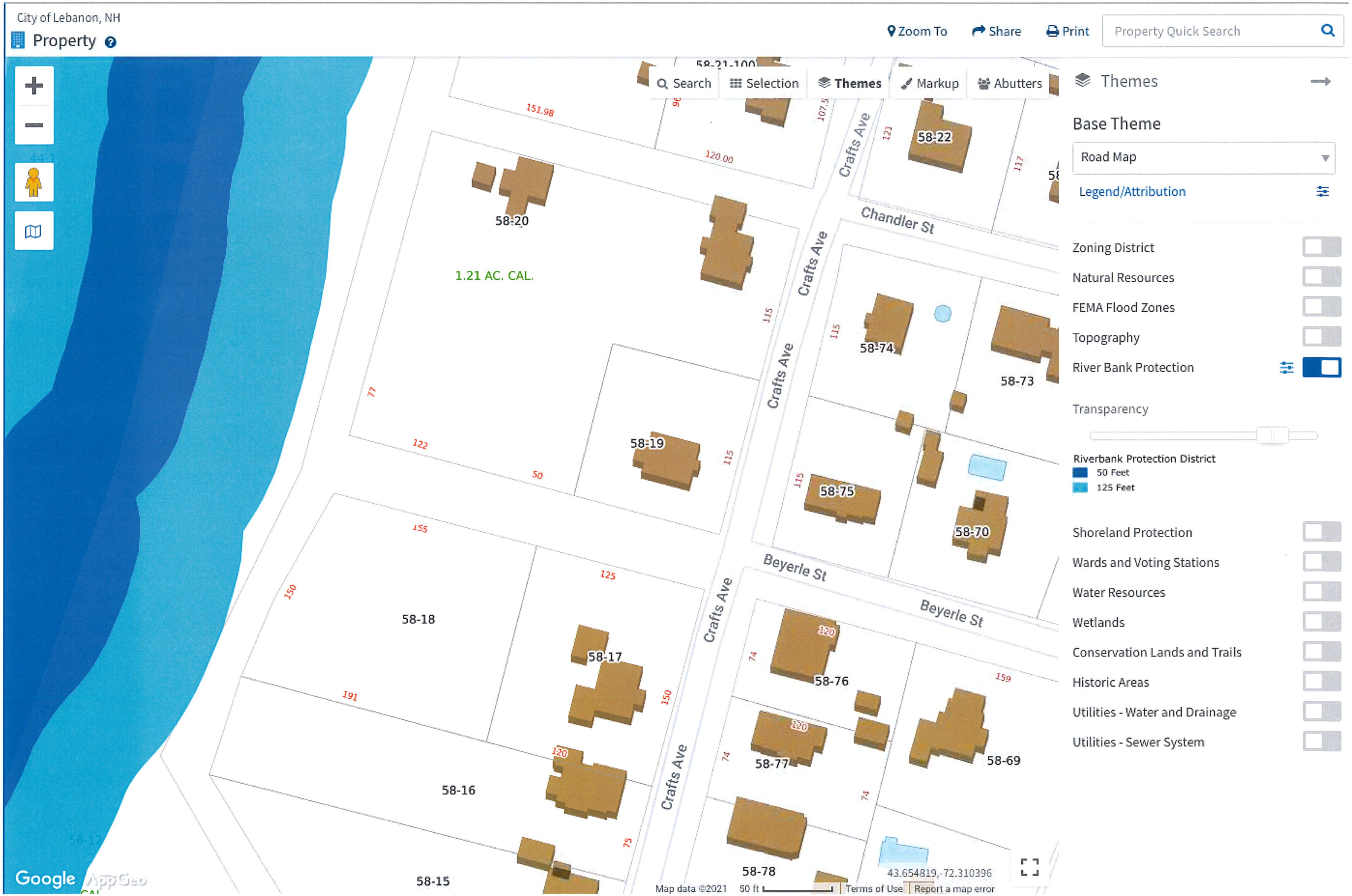
Present-day boundaries of
Parcel 58-18 and Parcel 58-20
highlighted for reference

Appendix D: Lebanon GIS - Site Topography

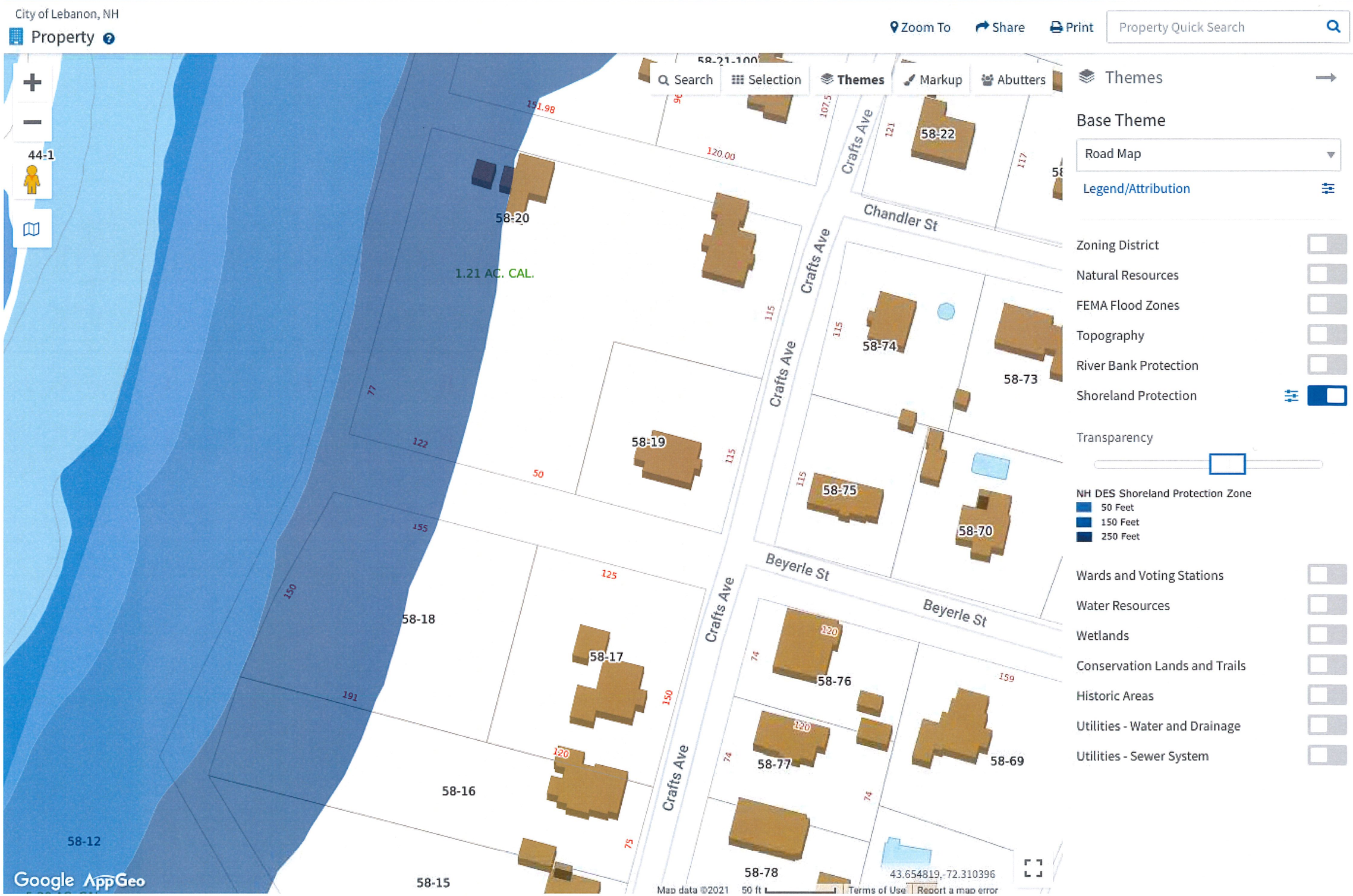
Appendix E: Lebanon GIS - FEMA Flood Zones



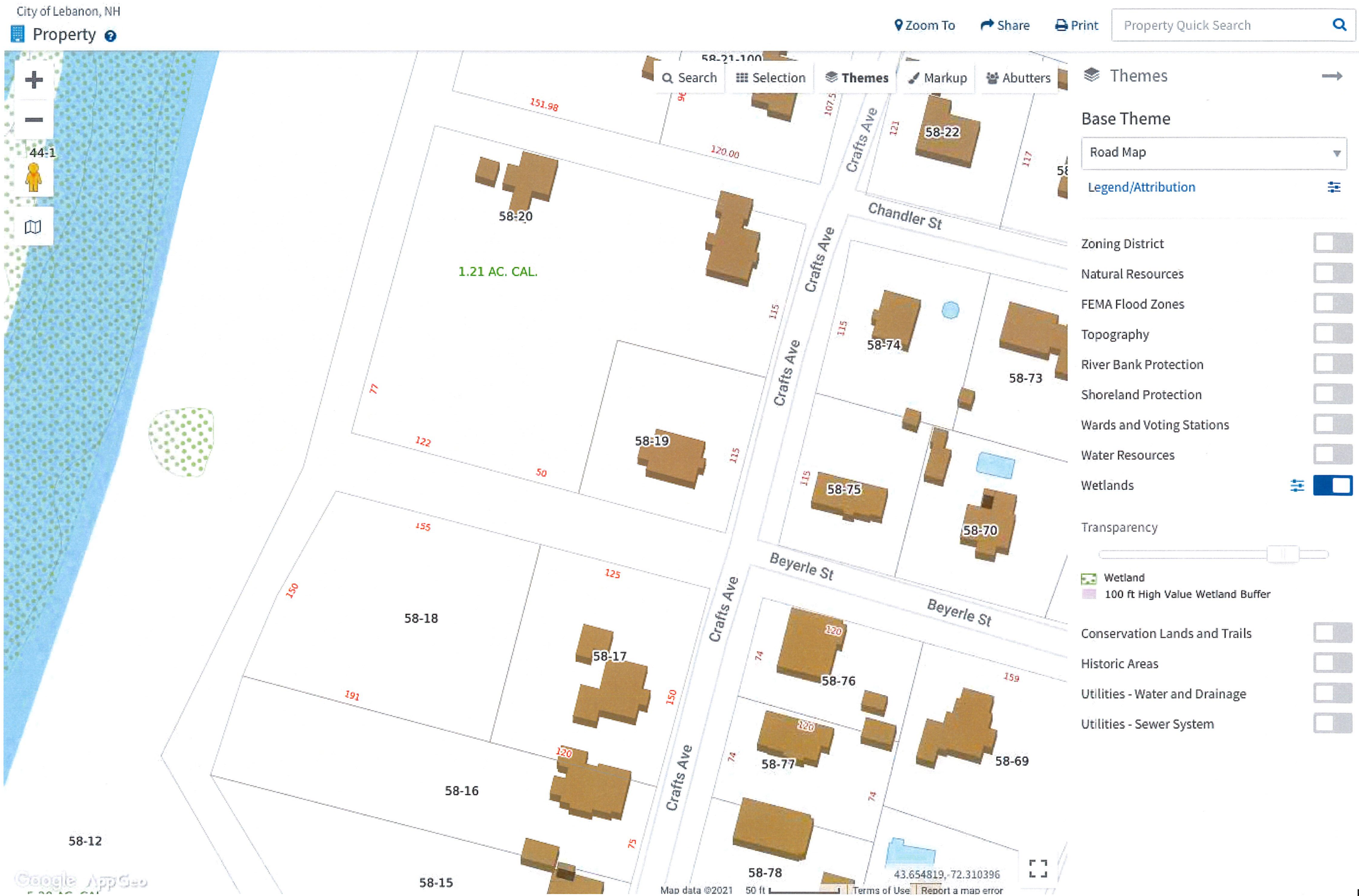
Appendix F: Lebanon GIS - River Bank Protection District



Appendix G: Lebanon GIS - NH DES Shoreland Protection Zones



Appendix H: Lebanon GIS - Wetlands



Appendix I: Lebanon GIS - Utilities: Water and Drainage, Sewer System

Appendix J: Lebanon R-3 District Dimensional Requirements & Calculations

SECTION 310 RESIDENTIAL THREE DISTRICT (R-3).

310.1 Purpose. The purpose of the R-3 District is to provide areas primarily for single family residential neighborhoods.

310.2 Table of Uses.

Permitted Uses	***Special Exception*** Uses (see Section 801.3)
Residential 1. ***One-family dwelling*** 2. ***Accessory dwelling unit*** (ADU) per Section 610 Commercial/Non-Residential 3. ***Home business*** per Section 600 4. Home-based agricultural business per Section 600B.2 (***lots*** 5 acres or more) and per Section 600B.3 (***lots*** greater than 10 acres) 5. Hospital 6. Public education facility 7. ***Public recreation facility*** 8. ***Public safety facility*** 9. ***Renewable energy system*** per Section 612 Planned Developments 10. PURD per Section 501	Residential 1. Two family dwelling by conversion of existing one family dwelling 2. ***Senior housing complex*** Commercial/Non-Residential 3. Cemetery 4. ***Essential service*** 5. ***Group day care facility*** per Section 604 6. Home-based agricultural business per Section 600B.2 (***lots*** less than 5 acres) and per Section 600B.3 (5–10 acre ***lots***) 7. House of worship 8. ***Nursing home***

Minimum Lot Size

Class	Area	Width	Maximum Height
1	10,000 sq.ft.	75'	35'
2	15,000 sq.ft.	75'	35'
3	40,000 sq.ft.	100'	35'

Minimum Yard

Class	Front	Side	Rear	Max. Building Coverage
1	20'	15'	20'	25%
2	20'	15'	20'	20%
3	25'	25'	30'	15%

Parcels 58-18 & 58-20		
Dimensional Calculations		
R-3 Min. Lot Size	10,000	*Sq. Ft.*
R-3 Min. Frontage	75	*Ft.*
Parcel 58-18		
Acreage	0.590	*Acres*
Sq. Ft.	25,700	*Sq. Ft.*
Divisable Lots	2	*Lots*
Approx. Sq. Ft. per Lot	12,850	*Sq. Ft.*
Beyerle Street (unimproved) Frontage	167.4	*Ft.*
Approx Frontage per Lot (2 lots)	83.7	*Ft.*
Parcel 58-20		
Acreage	1.210	*Acres*
Sq. Ft.	52,708	*Sq. Ft.*
Divisable Lots	5	*Lots*
Approx. Sq. Ft. per Lot	10,542	*Sq. Ft.*
Beyerle Street (unimproved) Frontage	172.0	*Ft.*
Approx. Frontage per Lot (2 lots)	86.0	*Ft.*
Chandler Street (unimproved) Frontage	273.13	*Ft.*
Approx. Frontage per additional Lot (2 lots)	86.0	*Ft.*
Crafts Avenue Frontage	114.91	*Ft.*
Existing Frontage - 1 Lot	114.91	*Ft.*

Note: There is sufficient Sq. Ft. and potential frontage along so-called Chandler Street to subdivide Parcel 58-20 into five (5) lots, but XYZ has elected to pursue only four (4) lots.

Agenda
Planning Board
February 8, 2021

Agenda Item #5A
Approval of Minutes

January 11, 2021

DRAFT

LEBANON PLANNING BOARD
Regular Meeting
Monday, January 11, 2021, 6:30 PM
Remote Via Microsoft Teams
LebanonNH.gov/Live

ROLL CALL OF MEMBERS PRESENT: Bruce Garland (Chair), Matthew Hall (Vice-Chair), Jim Winny (Council Representative), Gregorio Amaro, Kim Chewning, Joan Monroe, Kathie Romano, Jeremy Rutter, and Laurel Stavis

MEMBERS ABSENT: None

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 6:30 PM.

A. Review of meeting procedures and NH RSA 91-A "Right-to-Know" requirements.

Mr. Corwin shared the State directive and participation details for the online meeting in Microsoft Teams. All members identified themselves.

Chair Garland conducted a roll call of members present as reported above.

2. Notice of Regional Impact

Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3: Pursuant to Section 14.1.B.1.c of the Subdivision Regulations, a request for an extension of time to achieve active and substantial development of Phase II of a project identified as Prospect Hills, a 171 unit Planned Unit Residential Development located off Moulton Drive and Prospect Street, Tax Map 108 Lot 2 (phase 2) and Lot 14 (phase 1). PB2021-02-EXT

ICV-NH, LLC, 67 Etna Road (Tax Map 26, Lot 2), zoned IND-L: Request for modifications to the required open space for the Industrial PUD approved in 2016 (PB2016-04-SPR), and to the subdivision plat required to be recorded for the 75-unit multi-family condominium conversion approved in 2018 (PB2018-30-FMAJ). PB2021-03-FMAJSPA

Staff recommended that neither application has the potential for regional impact.

A MOTION by Laurel Stavis that the above applications do not have the potential for regional impact. Seconded by Jeremy Rutter

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

3. Public Hearing Items

A. Jolin Salazar-Kish, 8-10 & 14 Bank Street (Tax Map 92, Lots 125 &124), zoned LD: Request for Site Plan Review of a proposed 47-unit multi-family residential development to consist of one existing building and two new buildings on two lots to be merged, together with associated site improvements. **PB2019-39-SPR** - Continued from December 14, 2020

Kim Chewning recused herself.

Property Owner Jolin Salazar-Kish, Sue Reed, and Dan Nash of Advanced Geomatics attended on behalf of the application.

Ms. Kish explained the updates to the plan.

Mr. Corwin reported on a request by the Fire Department and a subsequent additional condition of approval.

Mr. Vincent explained the resolution of comments to date. The remaining comments would be resolved before issuing a building permit. The parking space #56 issue is still under discussion. Additional parking, grading, and walkway issues are also being resolved.

Mr. Corwin stated there are no parking requirements in the Lebanon Downtown District, and it is up to the Board to determine adequate parking. The current proposal provides 2.2 parking spaces per unit, but that must be approved by the Board. The spaces cannot be leased by anyone outside the property.

Chair Garland explained the order of business.

Ms. Salazar-Kish explained that parking space #56 would be designated motorcycle parking only, which would eliminate the impact on the property entrance. The parking is calculated as one space per bedroom; and parking is driving the design, as rental depends on access to parking.

Mr. Hall noted that parking was his concern, and motorcycle space is a good compromise.

Mr. Rutter inquired about rain gardens. Mr. Nash confirmed that there are no rain gardens on this version of the plan.

Ms. Romano reiterated her opinion that parking spaces #56 and #48 should be removed. Spaces #36, 29, and #37 should also be removed to provide room for snow storage in the winter and recreation space in the summer months. Ms. Salazar-Kish stated that she is willing to cover the cost of snow removal in order to maintain the planned parking spaces, which make the units rentable. Ms. Romano added that leasing parking spaces is not allowed per zoning ordinance. In response to concern over the abutters' fences, Ms. Salazar-Kish explained the three types of fencing required and confirmed responsibility for

maintenance of all fencing on the project property. Mr. Corwin explained the decision for replacement fencing is up to the applicant. Ms. Monroe suggested putting the fencing replacement in the conditions. She also expressed concern about space #56 due to fact that those backing out could interact with those leaving the green area and heading east on Bank Street. Ms. Monroe stated that removing spaces #26 and #39 would provide better area for snow storage. Ms. Salazar-Kish explained that most of the snow storage is planned to be at the other end of the parking lot. Snow would not be left in the walkway to the Library trash area. Ms. Romano suggested that most motorcycle owners want a more private parking location than #56 would provide and still recommended removing that space. The location would be convenient to public transit. Ms. Salazar-Kish reiterated that it is needed. Mr. Winny commented that he looks for a more protected space for his motorcycle and doesn't see space #56 as a problem.

Chair Garland invited public comments.

Frank Mastro and Maryann Mastro of 15 Green Street made comments. Mr. Mastro stated that space #56 could be an issue when someone backs out. The plan for snow area does not look adequate. Spaces #26 and #39 have very limited backout area, and piling snow will make it worse. Mrs. Mastro commented that parking should be more than adequate to keep units rented even with those spaces removed.

Doreen Schweitzer of 16 Bank Street expressed concern that the most recent plan from Ms. Salazar-Kish suggests that the fence behind the barn should be 6' high, not 4'. She would like to see the fence beige or brown rather than white as it would be less obvious.

Chair Garland opened the discussion of the waivers, suggesting that they be voted as a block.

Mr. Corwin noted that some landscaping had been removed due to the fence at the back of the building and explained the waivers. Ms. Monroe expressed concern that trees were being removed and inquired if trees were being added elsewhere for proper shading. Ms. Salazar-Kish stated that they did adjust the tree allocation to meet the shading requirement.

A MOTION by Matthew Hall *that the Lebanon Planning Board* ***APPROVE*** *waivers for the application of* ***JOLIN SALAZAR-KISH, #PB2019-39-SPR****, from the following section of the Site Plan Review Regulations:*

- **Partial Waiver of Section 6.2.B.4 –** *requiring that trees to be planted no closer than 8 ft. to any lot line*

- **Waiver of Section 6.2.B.6 –** *requiring a 20 ft. wide opaque buffer between the proposed multi-family use and the abutting office use at 18 Bank Street*

- **Partial Waiver of Section 6.2.D –** *"Landscaping around buildings shall be provided to a minimum width of 10 feet and planted with trees, shrubs, and ground cover appropriate to the architecture in order to buffer parking areas, define entrances, provide foundation planting, and soften large expanses of walls or long roof lines."*

- **Partial Waiver of Section 6.2.E.1** – *requiring parking areas to be visually screened with landscaping*

Seconded by Jeremy Rutter

Roll Call Vote:
Voting in Favor – Mr. Rutter, Mr. Winny, Ms. Monroe, Ms. Romano, Ms. Stavis, Mr. Hall, Mr. Garland, Mr. Amaro
Voting Against - None
****The MOTION was approved (8-0). {recusal is not the same as abstaining, and should not be indicated in the vote total}***

Chair Garland invited Board comment on the conditions of approval.

Ms. Romano commented on the fences at the rear of property, which are owned by abutters but on the applicant's property and lack consistency. The fence behind #16 is very close to the building. Ms. Salazar-Kish explained that the fence is as it is because the owner put it that close to the building, adding that they can remove a section for painting. They plan to use 4' fencing to limit damage from snow, and the intention is to have two heights. Ms. Romano wondered about the ability of abutters to access the back of their house. Ms. Salazar-Kish confirmed the abutter would need permission to paint now given the building's location. Ms. Monroe suggested that allowing neighbors access is desirable.

Mr. Brooks inquired if snow would go beyond the fence. Ms. Salazar-Kish stated that it would.

Chair Garland invited public comment.

Mary Ann Mastro commented that the need for waivers is self-induced, and inquired why they would be granted by the Board. Chair Garland stated that the Board must consider that the plan meets the spirit of the waiver.

Chair Garland closed the Public Hearing.

Mr. Corwin noted that a few of the conditions have been rearranged except Condition #1.

A MOTION by Matthew Hall *that the Lebanon Planning Board* ***APPROVE*** *the application of* ***JOLIN SALAZAR-KISH*** *for Site Plan Review of a proposed 26-unit multi-family residential development to consist of one existing building and one new building on two lots to be merged, together with associated site improvements at 8-10 & 14 BANK STREET (Tax Map 92, Lots 125 & 124), zoned CBD,* ***PB2019-39-SPR****, as shown on a plan set titled "Bank Street Apartments" prepared by Advanced Geomatics and Design, dated December 28, 2020 (originally dated November 12, 2019), PN: 19-001 (27 sheets), including any and all submissions and testimony provided for and during the public hearing, with the following conditions:*

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

1. 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 provide two (2) revised plans sets depicting the following revisions to the satisfaction of the Planning & Development Department, the City Engineer, and the Fire Department, as follows:

a) The plans shall be updated to satisfactorily address comments #2-#5 of the City Engineer and the Department of Public Works as set forth in the staff memo prepared for the January 11, 2021 Planning Board meeting.
b) Any changes to the driveway width and curbing height as may be deemed necessary by the Fire Department to ensure safe and efficient fire truck access.
c) Update the landscaping plan to:
    i. Add a note that an opaque fence with a minimum height of 4 ft. shall be maintained along the rear of the property.
    ii. Remove all existing conditions that are proposed to change (e.g. existing building footprints and existing driveway edge) and provide an updated legend to identify all lines used (e.g. dashed lines identifying parking overhangs should be identified).

2. The applicant shall provide a digital copy of the revised plan set and any revised application materials depicting any changes made pursuant to Condition of Approval #1, to the satisfaction of the Planning & Development Department and the City Engineer. The digital copy of the plan set shall use a PDF-A format for archival purposes.

3. 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 schedule and hold a pre-building permit application meeting with the Planning Department, City Building Inspectors, City Engineer/Department of Public Works, and Fire Department, in order to help streamline the building permit review process.

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 Chapter 136 and 182 of the City Code.

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

6. The applicant shall apply for a voluntary merger of 92-125 and 92-124 (10 and 14 Bank Street) with the Planning & Development Department. Upon approval by the City, the voluntary merger shall be recorded at the Grafton County Registry of Deeds.

<u>Conditions to be Satisfied Prior to the Issuance of a Building Permit</u>

7. 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 Inspection Agreement in accordance with Chapters 136 and 182 of the City Code.

8. 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 August 13, 2018. 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.

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

10. Prior to the start of any construction activities on the property, the applicant shall obtain or update (if appropriate) any required State approvals including, but not limited to, the following:
    a) NHDES Sewer Connection Permit, if necessary

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

11. The impact fee calculated pursuant to Condition of Approval #8 shall be paid.

12. 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.

13. 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.

General Conditions

14. 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.

15. 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.

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

17. The property owner is responsible for the maintenance and operation of the stormwater management system in accord 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).

Seconded by Laurel Stavis

The Board members continued to discuss the details of the fence replacement. Mr. Brooks stated that the fence addresses the screening requirements, and a condition should require a solid fence if that is the Board's concern and not specify the type, color, or height. Ms. Romano suggested that the condition state, "The property owner shall maintain an opaque fence with a minimum height of 4' along the entire rear property line."

Roll Call Vote:
Voting in Favor – Mr. Winny, Ms. Monroe, Ms. Romano, Ms. Stavis, Mr. Hall, Mr. Garland, Mr. Amaro, Mr. Rutter

Voting Against - None
****The MOTION was approved (8-0). {recusal is not the same as abstaining, and should not be indicated in the vote total}***

Ms. Chewning returned to the meeting

B. 89 Donuts, LLC (applicant), Miracle Mile Realty, LLC (property owner), 388 Miracle Mile (Tax Map 103, Lot 6), zoned GC: Request for Site Plan Review to construct a +/-1,332 sq. ft. drive-in restaurant (a Dunkin' Donuts with a drive-through window and walk-in service) within the existing parking lot, together with associated site improvements. **PB2020-32-SPR** - Completeness determination and public hearing requested to be continued until February 8, 2021.

Mr. Corwin reported that the traffic study needs to be completed along with additional technical information. Further discussion with the applicant is also needed. Staff recommends postponing the hearing to February 8, 2021.

A MOTION by Laurel Stavis that the hearing of 89 Donuts, LLC (applicant), Miracle Mile Realty, LLC (property owner), 388 Miracle Mile (Tax Map 103, Lot 6), zoned GC, be continued to February 8, 2021, at 6:30 PM.
Seconded by Jeremy Rutter

Voting in Favor – Mr. Amaro, Mr. Rutter, Mr. Winny, Ms. Monroe, Ms. Romano, Ms. Chewning, Ms. Stavis, Mr. Hall, Mr. Garland
Voting Against - None
****The MOTION was approved (9-0).***

C. Basic Holdings, LLC, 5 & 11 Oak Ridge Road, (Tax Map 4, Lots 5 & 6), zoned R-3: Request for Final Major Subdivision Review, Site Plan Review, and a Conditional Use Permit for a proposed Planned Unit Residential Development (PURD) pursuant to Section 501.2 of the Zoning Ordinance, containing 22 residential units together with related site improvements and amenities. **PB2020-31-FMAJ** -Public hearing to commence on January 11, 2021 if the Board finds that the application is complete.

Staff recommended postponing the completeness determination to February 8, 2021.

A MOTION by Laurel Stavis to continue the completeness determination of Basic Holdings, LLC, 5 & 11 Oak Ridge Road, (Tax Map 4, Lots 5 & 6), zoned R-3, to February 8, 2021, at 6:30 PM.
Seconded by Kathie Romano

Voting in Favor – Ms. Chewning, Ms. Stavis, Mr. Hall, Mr. Garland, Mr. Amaro, Mr. Rutter, Mr. Winny, Ms. Monroe, Ms. Romano
Voting Against - None
****The MOTION was approved (9-0).***

D. Mary Hitchcock Memorial Hospital, One Medical Center Drive (Tax Map 10, Lot 8), zoned MC: Request for Site Plan Review to expand the existing emergency department at Dartmouth Hitchcock Medical Center with the construction of +/-4,631 sq. ft. of additional building area, together with the reconfiguration of the ambulance staging area, construction of a new overflow ambulance parking area, as well as the installation of associated site improvements. **PB2020-34-SPR** - Application deemed complete on December 14, 2020; public hearing to commence on January 11, 2021.

Mr. Hall recused himself.

David Stiger, Director of Project Management at DHMC; David Duncan, VP of Facilities at DHMC; Joe Lonergan, Lavalle Brensinger Architects; and Nik Fiore of Engineering Ventures all attended on behalf of the application.

Mr. Stiger described the proposed expansion for a psychiatric patient and quarantine area in the Emergency Department (ED). The project adds seven new psychiatric safe rooms with a separate entrance to provide improved, safer care. The area can provide negative pressure rooms or be a large, decontamination space. The location is planned for the middle of the current ambulance drop off area.

Mr. Fiore described the location of the project, which would be north of the east entrance of the hospital.

Mr. Lonergan stated that it would be part of Level 2 of the hospital and an expansion of the current ED. It would have a separate entrance but connects to the present ED. Ambulance access would be reconfigured. Mr. Fiore gave a more detailed description of the new design's interface with the current building. DART ambulance can be accommodated, and ADA parking would be relocated. The utility connections were explained.

Mr. Corwin explained the waiver requests.

Chair Garland invited comments from the Board members.

Mr. Winny noted the benefit of an expanded psychiatric space to address a great need in the State.

Ms. Romano commented positively on the expansion of the ED and inquired about parking and drainage, noting that spaces were being eliminated and impervious surface increased. Mr. Vincent stated that the amount of change in impervious surface would be very small, with little change in flow of stormwater. Mr. Fiore explained the way stormwater is handled on the DHMC site, with much flowing toward the beaver pond. The modeling software shows no change to impervious surface, and the parking spaces being eliminated are ones designated for other service vehicles, not for visitors.

Ms. Chewning inquired about a possible increase in ambulance traffic. Mr. Fiore stated the goal is better service and does not expect an increase in traffic. There is no report on stormwater management.

Ms. Monroe inquired about the 25' poles for lighting, noting that she currently sees sky glow at her home. Mr. Fiore explained that the existing poles are 25' high. They will be adding one and moving others. Ms.

Monroe noted the changing regulations on the color of bulbs to a Correlated Color Temperature (CCT) rating of 3,000K. Mr. Corwin stated that the changes are pending. Mr. Fiore responded that they would change to 3,000K if the City changes its regulations. Mr. Stiger stated that it involves the area for ambulances. Ms. Monroe observed that the lower rating tones down the glow but doesn't dramatically change the color.

Ms. Stavis confirmed there is a dire situation for those with mental illness in the State and inquired if DHMC is in any agreement with the State to take on patients from other areas. Mr. Stiger stated that he is in facilities and unable to comment. Mr. Duncan offered to inquire and get back to the Board.

Chair Garland inquired if anyone had public comment. Hearing none, Chair Garland suggested approval of the waivers as a block.

A MOTION by Joan Monroe *that the Lebanon Planning Board* ***APPROVE*** *waivers for the application of* ***Mary Hitchcock Memorial Hospital regarding One Medical Center Drive (Tax Map 10, Lot 8), PB2020-34-SPR****, from the following sections of the Site Plan Review Regulations:*

- **Partial Waiver of Article VI design requirements** – The applicant requests a general waiver from having to comply with the Article VI design requirements outside of the specific area of the lot proposed to be redeveloped.

- **Section 5.1.E.5** – requiring a current survey certified by a land surveyor licensed in New Hampshire

- **Section 5.1.E.8** – requiring the plans to depict wetlands on the property shall be delineated by a NH Certified Wetlands Scientist

- **Section 5.1.E.15** – requiring a landscaping plan

- **Sections 5.1.E.16 & 17** – requiring a stormwater management plan and compliance with the Section 6.6. stormwater design requirements

- **Section 6.7.2.e** – requiring a maximum lighting fixture mounting height of no more than 20 feet

Seconded by Jeremy Rutter
Roll Call Vote:
Voting in Favor – Ms. Stavis, Mr. Garland, Mr. Amaro, Mr. Rutter, Mr. Winny, Ms. Monroe, Ms. Romano
Voting Against - Ms. Chewning
****The MOTION was approved (7-1). {recusal is not the same as abstaining, and should not be indicated in the vote total}***

Ms. Chewning explained her position.

Chair Garland closed the Public Hearing.

A MOTION by Joan Monroe *that the Lebanon Planning Board* ***APPROVE*** *the application of* ***Mary Hitchcock Memorial Hospital regarding One Medical Center Drive (Tax Map 10, Lot 8), PB2020-34-SPR****, for Site Plan Review to expand the existing emergency department at Dartmouth Hitchcock Medical*

Center with the construction of +/-4,631 sq. ft. of additional building area, together with the reconfiguration of the ambulance staging area, construction of a new overflow ambulance parking area, as well as the installation of associated site improvements, "Dartmouth-Hitchcock Medical Center Psych ED Expansion" prepared by Engineering Ventures, PC, dated November 9, 2020, last revised December 23, 2020, project no. 19235 (13 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 Application for a Building Permit

1. The applicant shall schedule and hold a pre-building permit application meeting with the Planning 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.

2. 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.

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

4. The applicant shall provide to the City Engineer documentation necessary to demonstrate to the satisfaction of the City Engineer that the proposed hazardous waste holding tank and associated indoor plumbing does not result in any release of hazardous waste compounds to the municipal sewer system.

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

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 August 13, 2018. 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 as set forth in City Code Chapter 68.

7. 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

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

9. 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.

General Conditions

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

Seconded by Jeremy Rutter

Roll Call Vote:
Voting in Favor – Mr. Garland, Mr. Amaro, Mr. Rutter, Mr. Winny, Ms. Monroe, Ms. Romano, Ms. Chewning, Ms. Stavis
Voting Against - None
****The MOTION was approved (8-0). {recusal is not the same as abstaining, and should not be indicated in the vote total}***

Matthew Hall returned to the Board.

4. Other Business

Chair Garland inquired about an update on the potential Timberwood lawsuit. Mr. Brooks stated that the City has been served regarding the Saxon application and is working with legal counsel. Saxon Partners are intervening to help defend the Board's decision.

Mr. Rutter expressed concern about the Dunkin' Donuts application traffic study due to the proximity to Listen and other factors. Mr. Brooks stated that it is still under review. He would take the comment as Staff continues to work with the applicant.

Ms. Romano referred to the policy change allowing the City to hire third party engineers at the expense of the applicants and asked if staff could discuss how many private engineers were hired and how it is working. Mr. Corwin stated that there have only been two projects that used the outside engineering review option, and it has worked well. Mr. Vincent noted that the City selected one engineering firm to be on call when necessary.

Ms. Monroe stated that Right to Know Laws governing comments by Planning Board members are clear and would caution the Board from ever discussing a project that is open and under review outside the designated time for that project.

Mr. Brooks commented on the development regulations subcommittee and the desired amendment for lighting and CCT rating requirements. The plan is to pause the subcommittee review of further amendments and bring forward the ones already discussed. The new amendments would be considered later in the spring as they are ready.

5. Approval of Minutes

A. December 14, 2020

A MOTION by Matthew Hall to approve the minutes of the December 14, 2020, Planning Board Meeting as presented in the January 11, 2020 Planning Board meeting packet.
Seconded by Laurel Stavis.

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

6. Election of Officers

A. Chair and Vice Chair

Mr. Brooks opened the nominations for Chair.

Matthew Hall Nominated Bruce Garland as Chair. No other nominations were received and the nomination period was closed.
Seconded by Kathie Romano
Voting in Favor – Mr. Amaro, Mr. Rutter, Mr. Winny, Ms. Monroe, Ms. Romano, Ms. Chewning, Ms. Stavis, Mr. Hall, Mr. Garland
Voting Against - None
****The Nomination of Bruce Garland as Chair was approved (9-0).***

Mr. Brooks opened nominations for Vice Chair.

Joan Monroe Nominated Matthew Hall as Vice Chair. No other nominations were received and the nomination period was closed.
Seconded by Laurel Stavis
Voting in Favor – Ms. Stavis, Mr. Hall, Mr. Garland, Mr. Amaro, Mr. Rutter, Mr. Winny, Ms. Monroe, Ms. Romano, Ms. Chewning
Voting Against - None
****The Nomination of Matthew Hall for Vice Chair was approved (9-0).***

6. Adjournment

A MOTION by Matthew Hall to adjourn the meeting.
Seconded by Laurel Stavis.

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

The meeting was adjourned at 9:23 PM.

Respectfully submitted,
Holly Howes
Recording Secretary