



**LEBANON PLANNING BOARD
JULY 8, 2024 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

1. Call to Order

- A. To participate in this meeting, please [join live via Microsoft Teams](#) or call 929-229-5356 (access code: 951 304 871#). If you have trouble accessing this meeting, please [email tim.corwin@lebanonnh.gov](mailto:tim.corwin@lebanonnh.gov).

2. Notice of Regional Impact

3. Public Hearing Items

- A. **Brickyard One Nominee Trust, 174 Hanover Street (Tax Map 48, Lot 4), 0 Hanover Street (Tax Map 48, Lot 2), 0 Hanover Street (Tax Map 48, Lot 1), and 238 Hanover Street (Tax Map 63, Lot 1), zoned R-1, R-O-1 & R-3:** Site plan review for a proposed 474-unit multi-family residential development totaling +/- 731,600 sq. ft. in size, consisting of 11 buildings together with parking, utilities, landscaping, access, and other related site improvements. **PB2024-22-SPR**
- B. **Recreo, LLC, 2 Mascoma Street (Tax Map 91, Lot 254), zoned LD:** Applicant requests an extension of time per Section 4.10.B of the Site Plan Review Regulations to obtain a building permit pursuant to a site plan to construct two (2) multi-family dwellings containing a total of 152 units together with associated site improvements, originally approved on July 11, 2022 (PB2022-17-SPR). **PB2024-25-EXT**
- C. **Women's Information Service (WISE) of the Upper Valley Inc, 38 Bank Street (Tax Map 92, Lot 116), zoned R-O:** Request for site plan review to replace the existing attached garage with a new two-story +/- 796 sq. ft. addition for use as a garage and an office, together with a new 138 sq. ft. covered open entry porch. **PB2024-26-SPR**
- D. **Edwards Properties, LLC, 135 Heater Road (Tax Map 78, Lot 41), zoned IND-L:** To allow the conversion of a dwelling unit to an office use, applicant requests (i) a Conditional Use Permit pursuant to Section 303.2 of the Zoning Ordinance to expand the office use approved by Conditional Use Permit on April 15, 2024 (PB2024-02-CUP), and (ii) pursuant to Section 9.1 of the Site Plan Review Regulations, a modification to the site plan approved on April 15, 2024 (PB2024-14-SPR). **PB2024-27-CUPSPA**
- E. **SPNH Lebanon North, LLC, 402 Mount Support Road (Tax Map 24, Lot 9), zoned R-1:** Pursuant to Section 9.1 of the Site Plan Review Regulations, applicant requests modifications to the phasing plan for a 204-unit multi-family complex, originally approved on February 14, 2022 (PB2021-33-SPR) and reapproved on October 9, 2023 (PB2023-34-SPR). **PB2024-29-SPA**
- F. **XYZ Dairy, LLC, 0 Beyerle Street & 51 Crafts Avenue (Tax Map 58, Lot 18 & Tax Map 58, Lot 19), zoned R-3:** Request for a Conditional Use Permit pursuant to Sections 310.2 and 509 of the Zoning Ordinance for a proposed cottage development with 16 dwelling units and a community building, together with related site improvements. **PB2024-31-CUP**

4. Other Business

- A. **Gregory W. Hagley & Marlee Dixon, 78 Bank Street (Tax Map 92, Lot 106), zoned R-O:** Request per Section 213.8.B of the Zoning Ordinance to waive the impact fees assessed for the conversion of a previous office use to a one-family dwelling. **PB2024-30-AAD**
- B. **Review of Draft Planning Board/DEI Commission Joint Resolution on Housing**
- 5. **Approval of Minutes**
 - A. None
- 6. **Adjournment**

The order of agenda items is subject to change.

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



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

PLANNING BOARD

July 8, 2024 Meeting

Staff Memorandum – PB2024-22-CUPSPR

APPLICATION INFORMATION

Agenda Item: 3.A

Application ID: 2024-22-CUPSPR

Application Type:

Site Plan Review and CUP for a proposed 11-building, 474-unit multi-family PURD totaling +/- 731,600 sq. ft. in size, and a CUP to allow an increase in the maximum permitted building height from 45 ft. to 55 ft.

Property Location & Tax Map:

- 174 Hanover St (Tax Map 48, Lot 4)
- 0 Hanover St (Tax Map 48, Lot 2)
- 0 Hanover St (Tax Map 48, Lot 1)
- 238 Hanover St (Tax Map 63, Lot 1)

Applicant & Property Owner:

Brickyard One Nominee Trust

Property Size: +/-136.87 acres total (per City Assessor's records)

Zoning District(s):

- Residential One (R-1)
- Residential Three (R-3)
- Residential-Office-One (R-O-1)
- Rural Lands Three (RL-3)

Overlay District(s):

- Wetlands Conservation District
- Floodplain District
- Steep Slopes District

Future Land Use Map:

- Mixed Use
- Rural (where zoned RL-3)

Existing Use & Improvements:

- 174 Hanover Street: remains of Densmore Brickyard
- 238 Hanover Street: +/-5,146 (gross) sq. ft. one-family dwelling, constructed in 1800 (a conforming use in the R-3 District per §310.2) and accessory structures

LEGAL NOTICE

Brickyard One Nominee Trust, 174 Hanover Street (Tax Map 48, Lot 4), 0 Hanover Street (Tax Map 48, Lot 2), 0 Hanover Street (Tax Map 48, Lot 1), and 238 Hanover Street (Tax Map 63, Lot 1), zoned R-1, R-O-1, R-3 & RL-3: Request for Site Plan Review and a Conditional Use Permit pursuant to Sections 308.2, 310.2, 311A.2, and 501.2 of the Zoning Ordinance for a proposed 474-unit multi-family Planned Unit Residential Development (PURD) totaling +/- 731,600 sq. ft. in size, consisting of 11 buildings together with parking, utilities, landscaping, access, and other related site improvements. Applicant also requests a Conditional Use Permit pursuant to Section 308.4 of the Zoning Ordinance to allow an increase in the maximum permitted building height from 45 ft. to 55 ft. PB2024-22-CUPSPR

PLANS AND APPLICATION MATERIALS

- ▶ Application form (1 page)
- ▶ Letter dated May 13, 2024 from Dave Fenstermacher, PE, of VHB (project narrative; 6 pages)
- ▶ Application for Waivers (2 pages)
- ▶ Site Plan Review Regulations Technical Checklist dated May 10, 2024 (10 pages)
- ▶ Letter dated July 2, 2024 from Dave Fenstermacher, PE, of VHB (response to staff completeness comments; 4 pages)
- ▶ Excerpt from plan set titled "The Brickyard Residential Development," dated May 10, 2024, last revised July 2, 2024, prepared by VHB, EV Project: 52933.00 (Cover Sheet, Access and Circulation Plan, and Overall Layout and Materials Plan)

All other application materials are on file at the Planning and Development Department and are available for review upon request, and will be available on-line prior to the anticipated commencement of the public hearing at the August 12, 2024 Planning Board meeting.

COMPLETENESS REVIEW & STAFF COMMENTS

In order to accept jurisdiction and commence review of the applicant's proposal, the Planning Board must first determine that the application is complete. See NH RSA 676:4, I(c)(1) and Section 4.7.C.3 ("Initial Completeness Determination") of the Site Plan Review Regulations. Section 4.7.C.3 provides as follows:

COMPLETENESS REVIEW

In order to accept jurisdiction and commence review of the applicant's proposal, the Planning Board must first determine that the application is complete. See NH RSA 676:4, I(c)(1) and Section 4.7.C.3 ("Initial Completeness Determination") of the Site Plan Review Regulations. The Planning and Development Department has reviewed the application for compliance with the Site Plan Review Regulations and recommends that the Board find that the application is complete enough to accept jurisdiction and to commence review.

STAFF COMMENTS

- The applicant has submitted the information and materials required by Article V of the Site Plan Review Regulations, or has submitted written waiver requests in the alternative, and therefore, a finding that the application is complete enough for the Board to accept jurisdiction is appropriate. However, City staff and the Board's Reviewing Engineer have provided a substantial number of design and presentation-related comments relative to the applicant's initial submission which the applicant requires additional time to address. Consequently, if the Board deems the application complete, the public hearing should be opened and immediately continued to the next regular meeting of the Planning Board scheduled for **August 12, 2024** in order to give the applicant the opportunity to respond to staff's comments.
- Staff also recommends that the Board do the following:
 - Schedule a site visit for the Board to inspect the property with the applicant (subject to the requirements and procedures set forth in RSA 91-A).
 - Given the likelihood that the project will require more than one meeting for the Board to complete its review, the Board should consider scheduling a special meeting for Thursday, August 15, 2024 at which the Board can focus exclusively on the proposed development (the special meeting would be in addition to whatever time is allotted to hearing the application at the August 12, 2024 regular meeting).
 - Require the applicant to pay for a peer review of the applicant's traffic study, to be paid for by the applicant pursuant to Section 4.7.E.2 of the Site Plan Review Regulations. Please note that the applicant has already voluntarily agreed to submit its traffic study to a peer review; however, staff recommends that the Board take action pursuant to Section 4.7.E.2 to formalize the review and the applicant's responsibility for payment. The City proposes to utilize the services of Weston & Sampson pursuant to the attached proposal dated June 12, 2024.

Attachments

- Letter dated June 12, 2024, from Jeffrey Santacruce, PE, of Weston & Sampson (traffic study peer review proposal; 6 pages)
- Plans and Application Materials (see above)

cc: Brickyard One Nominee Trust (emailmarchese@gmail.com)
Dave Fenstermacher, PD, VHB (dfenstermacher@vhb.com)
File

June 12, 2024

Mr. Brian Vincent, PE
City Engineer
City of Lebanon
193 Dartmouth College Highway
Lebanon, NH 03766

Re: **Peer Review – Proposed Lebanon Brickyard Development – Hanover Street**

Dear Brian:

Weston & Sampson Engineers, Inc. (Weston & Sampson) is pleased to submit this proposal to the City of Lebanon (the city) Planning Board. This proposal is for providing peer review services for the proposed Lebanon Brickyard Development on Hanover Street. This is expected to include a peer review of the traffic study, engineering plans, and attendance at a public hearing as further outlined below.

Scope of Services

Weston & Sampson will assist the city by providing peer review of the traffic study dated May 2024 and engineering plans dated May 10, 2024, by VHB, Inc. for the Lebanon Brickyard Development. Our comments will be provided in the form of a peer review memorandum. We assume that this review will include comments and recommended conditions for approval. Our review will be based on materials provided by the city to us as noted above. This will include a review of the following parts of the traffic study:

- 1.) Introduction
- 2.) Existing Conditions
- 3.) Future Conditions
- 4.) Improvements
- 5.) Summary of Findings

In addition, our review will include reviewing the Engineering Plans elements as outlined below:

- 1.) Parking Layout, parking space count, ADA accommodations
- 2.) Sidewalks and ADA accessibility
- 3.) Site circulation
- 4.) Pavement Marking and Signing

Our review will be based on City of Lebanon ordinances, Institute of Transportation Engineers guidelines, NHDOT Standards, and generally accepted engineering practice. At the completion of the review of the Traffic Study and Engineering Plans we will provide a comment letter to the city outlining any concerns or recommendations for submission to the Applicant.

For budgeting purposes, we have assumed that the Applicant will provide a response to comment letter that addresses our initial comments on the Traffic Study and Engineering Plans. We will then provide a follow up response letter to the city that will be based upon our review of the Applicant's

responses.

In addition, we have budgeted for attendance of one staff member at one (1) virtual Planning Board meeting not to exceed three hours in length to present our findings and answer any questions. We have also included time for meeting coordination with city staff.

The review of any additional letters or information, preparations of additional response letters or attendance at meetings beyond those noted above will require the preparation of a contract amendment.

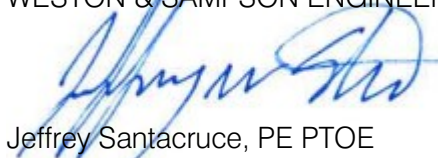
Fee

We propose to conduct this peer review on a time-and-materials basis and anticipate it can be completed within a two-week time frame once written Notice to Proceed is provided. We recommend that the City establish a budget of \$7,900.00. We will bill monthly and keep you informed of our progress by phone and email on approximately a weekly basis. We will also inform you once we have expended approximately 75 percent of the budget so that a contract amendment and additional funding can be discussed if required.

We look forward to working with the city on this project. If you have any questions or need any further information, please do not hesitate to contact me at santacrucej@wseinc.com or 978-560-9681.

Sincerely,

WESTON & SAMPSON ENGINEERS, INC.



Jeffrey Santacruce, PE PTOE
Transportation Practice Leader

By:

(Name and Title of Signer)

ACCEPTED FOR:

By Its _____

Date: _____

Enclosures – Standard Terms and Conditions

WESTON & SAMPSON GENERAL TERMS AND CONDITIONS

1. It is understood that the Proposal attached hereto and dated June 12, 2024 is valid for a period of ninety (90) days. Upon the expiration of that period of time or the delay or suspension of the services, WESTON & SAMPSON reserves the right to review the proposed basis of payment and fees, to allow for changing costs as well as to adjust the period of performance to conform to work loads. References herein to WESTON & SAMPSON are understood to refer to WESTON & SAMPSON ENGINEERS, INC.
2. Invoices will be submitted periodically (customarily on a monthly basis), and terms are net cash, due and payable upon receipt of invoice. Credit card payments by the OWNER shall not be allowed by WESTON & SAMPSON. If the OWNER fails to make any payment due to WESTON & SAMPSON for services and expenses within thirty (30) days after receipt of WESTON & SAMPSON'S statement therefor, WESTON & SAMPSON may, after giving seven (7) days' written notice to the OWNER, suspend services under this Agreement. Unless payment is received by WESTON & SAMPSON within seven (7) days of the date of the notice, the suspension shall take effect without further notice. In the event of a suspension of services, WESTON & SAMPSON shall have no responsibility to the OWNER for delay or damage caused the OWNER because of such suspension of services.
3. WESTON & SAMPSON will serve as the professional representative of the OWNER as defined by the Proposal or under any Agreement and will provide advice, consultation and services to the OWNER in accordance with generally accepted professional practice consistent with that degree of skill and care ordinarily exercised by practicing design professionals performing similar services in the same locality, at the same site and under the same or similar circumstances and conditions. Therefore, estimates of cost, approvals, recommendations, opinions, and decisions by WESTON & SAMPSON are made on the basis of WESTON & SAMPSON'S experience, qualifications and professional judgment. Accordingly, WESTON & SAMPSON does not warrant or represent that bids or negotiated prices will not vary from the OWNER'S budget for the project, or from any estimate of the Cost of the Work evaluation prepared or agreed to by WESTON & SAMPSON. WESTON & SAMPSON makes no warranty or guarantee, express or implied, regarding the services or work to be provided under this Proposal or any related Agreement.

Notwithstanding any other provision of these General Terms and Conditions, unless otherwise subject to a greater limitation, and to the fullest extent permitted by law, the total liability in the aggregate, of WESTON & SAMPSON and their officers, directors, employees, agents, and independent professional associates, and any of them, to OWNER and any one claiming by, through or under OWNER, for any and all injuries, claims, losses, expenses, or damages whatsoever arising out of in any way related to WESTON & SAMPSON's services, the project, or this Agreement, from any cause or causes whatsoever, including but not limited to, the negligence, errors, omissions, strict liability, breach of contract, misrepresentation, or breach of warranty of WESTON & SAMPSON or WESTON & SAMPSON's officers, directors, employees, agents or independent professional associates, or any of them, and any causes arising from or related to the COVID-19 pandemic, shall not exceed the greater of \$50,000 or the total compensation received by WESTON & SAMPSON hereunder and OWNER hereby releases WESTON & SAMPSON from any liability above such amount. WESTON & SAMPSON shall have no upfront duty to defend the OWNER but shall reimburse defense costs of the OWNER to the same extent of its indemnity obligation herein.

4. Where the Services include subsurface exploration, the OWNER acknowledges that the use of exploration equipment may alter or damage the terrain, vegetation, structures, improvements, or the other property at the Site and accepts the risk. Provided WESTON & SAMPSON uses reasonable care, WESTON & SAMPSON shall not be liable for such alteration or damage or for damage to or interference with any subterranean structure, pipe, tank, cable, or other element or condition whose nature and location are not called to WESTON & SAMPSON'S attention in writing before exploration begins.
5. WESTON & SAMPSON and its consultants shall have no responsibility for the discovery, presence, handling, removal or disposal of, or exposure of persons to, hazardous waste or viruses, including COVID-19, in any form at the project site. Accordingly, the OWNER agrees to assert no claims against WESTON & SAMPSON, its principals, agents, employees and consultants, if such claim is based, in whole or in part, upon the negligence, breach of contract, breach of warranty, indemnity or other alleged obligation of WESTON & SAMPSON

- or its consultants, and arises out of or in connection with the detection, assessment, abatement, identification or remediation of hazardous materials, pollutants or asbestos at, in, under or in the vicinity of the project site identified in the Proposal. OWNER shall defend, indemnify and hold harmless WESTON & SAMPSON, its principals, agents, employees, and consultants and each of them, harmless from and against any and all costs, liability, claims, demands, damages or expenses, including reasonable attorneys' fees, with respect to any such claim or claims described in the preceding sentence, whether asserted by OWNER or any other person or entity. WESTON & SAMPSON shall not be liable for any damages or injuries of any nature whatsoever, due to any delay or suspension in the performance of its services caused by or arising out of the discovery of hazardous substances or pollutants at the project site or exposure of any parties to the COVID-19 virus.
6. WESTON & SAMPSON agrees to purchase at its own expense, Worker's Compensation insurance, Comprehensive General Liability insurance, and Engineer's Professional Liability insurance and will, upon request, furnish insurance certificates to OWNER reflecting WESTON & SAMPSON's standard coverage. WESTON & SAMPSON agrees to purchase whatever additional insurance is requested by OWNER (presuming such insurance is available, from carriers acceptable to WESTON & SAMPSON) provided OWNER reimburses the premiums for additional insurance.
7. As a part of this Agreement, OWNER without cost to WESTON & SAMPSON agrees to do the following in a timely manner so as not to delay the services of WESTON & SAMPSON:
- a. Designate in writing a person to act as OWNER'S representative with respect to work to be performed under this Agreement, such person to have complete authority to transmit instructions, receive information, interpret and define OWNER'S policies and decisions with respect to materials, equipment elements and systems pertinent to the work covered by the Agreement.
 - b. Through its officials and other employees who have knowledge of pertinent conditions, confer with WESTON & SAMPSON regarding both general and special considerations relating to the Project.
 - c. Assist WESTON & SAMPSON by placing at the disposal of WESTON & SAMPSON, all available information pertinent to the Project including previous reports and other data relative to design or construction of Project.
 - d. Furnish or cause to be furnished to WESTON & SAMPSON all documents and information known to OWNER that relate to the identity, location, quantity, nature or characteristics of any hazardous waste at, on or under the site. In addition, OWNER will furnish or cause to be furnished such other reports, data, studies, plans, specifications, documents and other information on surface and subsurface site conditions required by WESTON & SAMPSON for proper performance of its services.
 - e. WESTON & SAMPSON shall be entitled to rely, without liability, on the accuracy and completeness of information and documents provided by the OWNER, OWNER'S CONSULTANTS and CONTRACTORS and information from public records, without the need for independent verification.
 - f. Pay for all application and permit fees associated with approvals and permits for all governmental authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for completion of the Project.
 - g. Arrange for and make all provisions for WESTON & SAMPSON and its agents to enter upon public and private lands as required for WESTON & SAMPSON to perform its work under this Agreement.
 - h. Furnish WESTON & SAMPSON with all necessary topographic, property, boundary and right-of-way maps.
 - i. Cooperate with and assist WESTON & SAMPSON in all additional work that is mutually agreed upon.
 - j. Pay WESTON & SAMPSON for work performed in accordance with terms specified herein.
8. The obligation to provide further services under this Agreement may be terminated by either party upon thirty days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the

- terminating party. If the Project is suspended or abandoned in whole or in part for more than three (3) months, WESTON & SAMPSON shall be compensated for all services performed prior to receipt of written notice from OWNER of such suspension or abandonment, together with the other direct costs then due. If the Project is resumed after being suspended for more than three (3) months, WESTON & SAMPSON'S compensation shall be equitably adjusted. In the event of termination by either party, WESTON & SAMPSON shall be compensated for all services performed prior to receipt of written termination, together with other direct costs then due, including WESTON & SAMPSON's independent consultants, and for the services necessary to affect termination.
9. The OWNER and WESTON & SAMPSON waive all rights against each other and against the contractors, consultants, agents and employees of the other for damages, but only to the extent covered by any property or other insurance in effect whether during or after the project. The OWNER and WESTON & SAMPSON shall each require similar waivers from their contractors, consultants and agents.
10. All Drawings, diagrams, plans, specifications, calculations, reports, processes, computer processes and software, operational and design data, and all other documents and information produced in connection with the project as instruments of service, regardless of form, shall be confidential and the property of WESTON & SAMPSON, and shall remain the sole and exclusive property of WESTON & SAMPSON whether the project for which they are made is executed or not. The OWNER shall not have or acquire any title to or ownership rights in any of the documents or information prepared by WESTON & SAMPSON. OWNER may make and retain copies for information and reference in connection with the use and occupancy of the Project by the OWNER and others; however, such documents are not intended or represented to be suitable for reuse by OWNER or others on extensions of the Project or on any other Projects. Any reuse without written verification or adaptation by WESTON & SAMPSON for the specific purpose intended will be at OWNER'S sole risk and without liability or legal exposure to WESTON & SAMPSON or to WESTON & SAMPSON's independent consultants, and OWNER shall indemnify and hold harmless WESTON & SAMPSON and WESTON & SAMPSON's independent consultants from all claims, damages, losses, and expenses, including attorneys' fees arising out of or resulting therefrom. Any such verification or adaptation will entitle WESTON & SAMPSON to further compensation at rates to be agreed upon by OWNER and WESTON & SAMPSON.
11. The substantive laws of the Commonwealth of Massachusetts shall govern any disputes between WESTON & SAMPSON and the OWNER arising out of the interpretation and performance of this Agreement.
12. WESTON & SAMPSON and the OWNER agree that any disputes arising under this Agreement and the performance thereof shall be subject to nonbinding mediation as a prerequisite to further legal proceedings. The parties may engage in remote mediation if in-person mediation is not possible or practicable due to the COVID-19 pandemic, or if mutually agreed upon between the parties.
13. WESTON & SAMPSON shall not be required to sign any documents, no matter by who requested, that would result in WESTON & SAMPSON having to certify, guaranty, or warrant the existence of conditions that would require knowledge, services or responsibilities beyond the scope of this Agreement.
14. Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the OWNER or WESTON & SAMPSON. WESTON & SAMPSON'S services hereunder are being performed solely for the benefit of the OWNER, and no other entity shall have any claim against WESTON & SAMPSON because of this Agreement or WESTON & SAMPSON'S performance of services hereunder.
15. Notwithstanding anything to the contrary contained herein, OWNER and ENGINEER agree that their sole and exclusive claim, demand, suit, judgment or remedy against each other shall be asserted against each other's corporate entity and not against each other's shareholders, A/E's, directors, officers or employees.
16. To the extent they are inconsistent or contradictory, express terms of this Proposal take precedence over these General Terms and Condition. It is understood and agreed that the services or work performed under this Proposal or any Agreement are not subject to any provision of any Uniform Commercial Code. Any terms and conditions set forth in OWNER'S purchase order, requisition, or other

notice or authorization to proceed are inapplicable to the services under this Proposal or any related Agreement, except when specifically provided for in full on the face of such purchase order, requisition, or notice or authorization and specifically accepted in writing by WESTON & SAMPSON. WESTON & SAMPSON'S acknowledgement of receipt of any purchase order, requisition, notice or authorization, or WESTON & SAMPSON'S performance of work subsequent to receipt thereof, does not constitute acceptance of any terms or conditions other than those set forth herein.

17. If any provision of this Agreement shall be finally determined to be invalid or unenforceable in whole or in part, the remaining provisions hereof shall remain in full force and effect, and be binding upon the parties hereto. The parties agree to reform this Agreement to replace any such invalid or unenforceable provision with a valid and enforceable provision that comes as close as possible to the intention of the stricken provision.
18. If delays or failures of performance of WESTON & SAMPSON are caused by occurrences beyond the reasonable control of WESTON & SAMPSON, WESTON & SAMPSON shall not be in default of this AGREEMENT. Said occurrences shall include Acts of God or the public enemy; expropriation or confiscation; compliance with any quarantine or other order of any governmental authority; pandemic; epidemic; public health crisis; labor or materials shortage; changes in law; act of war, rebellion, terrorism or sabotage or damage resulting therefrom; fires, floods, explosions, accidents, riots, strikes or other concerted acts of workmen, whether direct or indirect; delays in permitting; OWNER's failure to provide data in OWNER's possession or provide necessary comments in connection with any required reports prepared by WESTON & SAMPSON, or any other causes which are beyond the reasonable control of WESTON & SAMPSON. WESTON & SAMPSON's scheduled completion date shall be adjusted to account for any force majeure delay and WESTON & SAMPSON shall be compensated for all costs incurred in connection with or arising from a force majeure event or in the exercise of reasonable diligence to avoid or mitigate a force majeure event.

Approved by:

OWNER Name	
Signature	Date
Printed Name and Title	

CITY OF LEDARON 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: Brickyard One Nominee Trust TEL.#: (617) 834-4441

MAILING ADDRESS: P.O. Box 720, Middleton, MA 01949

E-MAIL ADDRESS: emailmarchese@gmail.com

CO-APPLICANT, AGENT, OR LESSEE:

NAME: TEL.#:

MAILING ADDRESS:

E-MAIL ADDRESS:

PROJECT LOCATION:

TAX MAP #: ⁴⁸63 LOT #: 1, 2, & 4
1 PLOT #: ZONE: R1, RO1, R3

STREET ADDRESS OF PROJECT: 174 Hanover Street Ext. & 238 Hanover Street

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

SCOPE OF PROJECT:

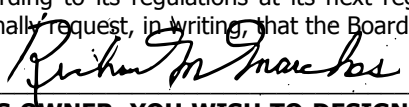
Ten apartment buildings and a combined maintenance shop/property manager's residence are proposed, totaling 474 multifamily residential units with access provided via two full access driveways along Hanover Street.

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: Former brick manufacturing facility

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 June 10, 2024, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER:  DATE: May 13, 2024

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

PROPERTY OWNER: DATE: _____

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

May 13, 2024

Ref: 52933.00

Mr. Nathan Reichert
Planning and Development Director
51 North Park Street
City Hall, 5th Floor
Lebanon, NH 03766

Re: The Brickyard Multi-family Planned Unit Residential Development (PURD)
174 Hanover Street Ext. & 238 Hanover Street (Map 48 Lots 1, 2, & 4 and Map 63 Lot 1)
Project Description and Impact Statement for Site Plan Review

Mr. Reichert,

In support of the site plan review application, this letter provides a project description and impact statements for the proposed multi-family Planned Unit Residential Development (PURD) project (the Project) located at 174 Hanover Street Extension & 238 Hanover Street (the Site).

Project Description

Summary

The Applicant, Brickyard One Nominee Trust, is proposing a new multi-family Planned Unit Residential Development (PURD) with associated parking, stormwater management, utilities, landscaping, and pedestrian/vehicular access, on Tax Map 48 Lots 1, 2, and 4 and Tax Map 63 Lot 1 located at 174 Hanover Street Extension and 238 Hanover Street. As currently proposed, the Project is comprised of ten four story residential apartment buildings over vehicular parking, totaling 473 units. An additional building is proposed at the northeast corner of the Site, which is anticipated to contain the development's leasing office, maintenance shop, and one residential unit for the on-site property manager.

The Site encompasses approximately 133.5 acres on four parcels of land primarily consisting of woodland, with areas previously developed as the former Densmore Brick Company's mining and manufacturing facility and a series of electric transmission lines. The overall property that the Project is situated within includes four local zoning districts, however all work is proposed within the R-1, R-3, and RO-1 districts. The RL3 district area that covers approximately 105 acres toward the rear of the property will not be developed as part of this application and has not been included in the PURD density or open space calculations (refer to attached PURD calculation figures). The RL3 property area may be developed as part



of a separate future application, with access provided through the Project Site utilizing one of the proposed below-building parking area driveways.

The Site topography consists of significant grade change, generally sloping down from west to east. Densmore Pond and associated streams and wetland resource areas are situated at the low point of the Site near Hanover Street.

The site improvements include a looped driveway accessed via Hanover Street at either end, additional surface parking throughout the site, and parking below the ten apartment buildings. The Project was designed to minimize disturbances to the existing wetlands to the maximum extent possible. A trail system is present north and northwest of the Site. The Site is proximate to I-89 access, the Hanover Street School and Lebanon High School, and is within 2 miles of Dartmouth Hitchcock Medical Center. Additionally, Advance Transit's Heater Landing bus stop is currently only 0.2 miles from the Site, however with the additional ridership resulting from this project, there is potential to coordinate future stops.

These components of the development are discussed in greater detail in the following sections. Please also refer to the attached site plans for a graphical depiction of the Project as well as technical details.

Site Layout

The site layout was developed in a way that accommodates the existing site characteristics, including topography, wetlands, Densmore Pond, and surrounding roadways, and respects the nearby existing mountain biking trail system. Proposed buildings are oriented to balance earthwork, minimize the overall disturbed area. Additionally, the Project intends to activate the area along the banks of Densmore Pond and overlooking the brick kilns as resident amenities and a tribute to the Site's legacy.

Vehicular circulation is provided via a looped driveway accessed via two full-service curb cuts along Hanover Street. Two access points provides continuous fire access and disburses daily traffic, and is offset by the removal of two existing driveway curb cuts. Parking is available along both sides of the site driveway and each apartment building will be constructed using podium style construction, offering vehicular access to a covered parking area below the building. Addressing the natural topography and reducing the Project's overall disturbance, below-building parking areas will be built into the hillside, with the exceptions of Buildings 1, 6, and 7. As such the first floors of Buildings 2-5 are at-grade on the driveway side, and the first floors of Buildings 8-10 are at-grade on the side opposite the driveway. The parking levels are at least partially open-air on the remaining three sides. Buildings 1, 6, and 7 are true podium style buildings in that the parking area below the building is open-air on all four sides. It should also be noted that parking spaces below buildings are reduced to 8'x18' to allow more covered parking and reduce site impervious area. Site parking spaces regulated by the Zoning Ordinance meet the required 9'x18' dimensions.

Amenity spaces in the forms of a walking path along Densmore Pond, patios, a dog park, and overlook areas leverage site features and topography to offer tenants welcoming outdoor spaces and viewpoints.



Transportation

Access to the Site will be provided via a looped driveway accessed via two full-service curb cuts along Hanover Street. As described previously, parking spaces exceeding the quantity required by the local zoning ordinance is proposed throughout the Site comprised of a combination of covered and typical surface parking. Due to the target bedroom mix, residents owning multiple vehicles are anticipated and as such the Applicant believes that additional parking above the minimum requirement is an operational improvement. The layout has been designed to accommodate circulation of emergency vehicles. The Applicant is providing bike storage on-site in excess of the quantity required by the local zoning ordinance. A sidewalk exists on the east side of Hanover Street, accessed from the Site via crosswalk at its southern driveway entrance. The Site is proximate to I-89 access and less than one quarter mile from Advance Transit's Heater Landing bus stop. A Traffic Impact Study has been provided as part of this application, and discusses existing and proposed traffic conditions in detail.

Wetlands

Existing wetlands exist on-site and were field delineated by Goddard Consulting. As such the Project falls within the Wetlands Conservation District. Based on the wetland inventory, as depicted on the Lebanon Wetland Overlay District Map, none of the wetlands on the site are listed as High or Very High Value wetland inventory, and therefore there are no associated buffers zones.

Wetlands have been respected in the design of the Project to the maximum extent practicable, with priority given to minimizing wetland impacts. Due to the location of the wetlands on-site, access to the development area requires that both proposed site driveways include one stream and associated bordering wetland crossing. To minimize wetland impacts by locating driveway crossings at the narrowest suitable areas, the Applicant acquired parcel 63-1 and realigned the original driveway layouts. The resultant cumulative proposed wetland impacts are less than 3,000 SF and as such the Project is expected to require a minimal impact permit from the NHDES Wetlands Bureau. Accordingly, the Project is exempt from a special exception requirement at the local level.

Stormwater Management

The Project will provide a stormwater management system pursuant to City of Lebanon and New Hampshire Department of Environmental Services (NHDES) regulations. To provide adequate water quality and water quantity control, improvements to the stormwater management system will include new catch basins and pipe network infrastructure that will direct the stormwater runoff to a series of surface and subsurface treatment/detention systems to achieve water quality and quantity control. A comprehensive Stormwater Management Report has been completed and is included with this site plan review application. Please refer to that document for detailed stormwater management information.



Utilities

Connections to existing municipal and private utilities located in Hanover Street are proposed as follows.

Water

The Project will connect to the existing 10" water main within Hanover Street at both proposed driveway locations to create a looped water main providing domestic and fire protection services throughout the Site. Existing fire hydrants are located along Hanover Street and not intended to be modified by the Project. Additionally, the Project proposes hydrants along the site driveway intended to provide appropriate building coverage and easy access for apparatus. Hydrant locations and apparatus accommodations shall be reviewed by the Lebanon Fire Department. Hydrant flow testing will be conducted to confirm the existing pressures and flow rates near the Site and support the buildings' fire protection design by others.

Sewer

The Project will connect to the existing 12" PVC sewer main in Hanover Street at both proposed driveway locations. Connections are anticipated to consist of new precast concrete manhole structures installed along the existing sewer main with masonry troughs to properly introduce sanitary sewage flow generated by the development to the flow in the existing main.

Other Utilities

Electric, phone, cable/data, and fire alarm service to the Site is anticipated to be provided by new connections to the existing infrastructure in Hanover Street.

Landscape

Landscaping will include a mix of native and acclimated/hardy deciduous and evergreen trees, shrubs, perennial groundcover and spring bulbs. The proposed plant palette will provide year-round interest through seasonal changing of foliage, blooms, bark color and texture, winter berries and a variety of evergreen species. Plant material will be used to frame and enhance views as well as screen at grade different elements of the site like transformer pads, parking areas, and dumpster enclosures.

A detailed Landscape Plan is included in the Site Plans accompanying this letter.

Construction Schedule

Construction is anticipated to begin during the second half of 2024, beginning with tree cutting, building demolition, and debris cleanup. Once the necessary permits are obtained, site grubbing and earthwork operations will commence. Construction of roadways, utilities, and building pads may not begin until 2026. Buildings will then be constructed individually and sequentially from one end of the Site to the other. Occupancy of each building is anticipated upon its individual completion. Refer to the Phasing Plan included in the Site Plans accompanying this letter for more information related to the construction phasing intent.



Project Impact Statement

Pursuant to Section 5.1.G.4. of the Lebanon Site Plan Review Regulations, the following statements of impact are offered as outlined in 6.9.B. of the Site Plan Regulations.

1. Natural resources and environmental quality including, but not limited to, water quality, air quality, wetlands, soil erosion and agricultural soils and a statement of pollution control and environmental impact mitigation measures.

In support of the site plan review application which this letter is part of, as well as the upcoming NHDES wetland permit and Alteration of Terrain Permit applications, a Stormwater Management Report and supporting Erosion Control Plans outline the impacts and mitigation measures for the Project.

2. Capacity of the school system; effect on school bus transportation and distance of the proposed subdivision from the nearest elementary school.

These items are addressed in the report attached hereto prepared by Fougere Planning and Development dated May 8, 2024 entitled "Fiscal Impact Analysis – The Brickyard – Hanover Street". Please refer to that document for detailed analysis and findings.

3. Adequacy of streets and/or sidewalks in the general area of the subdivision including major intersections providing access, and such other areas as requested by the Board.

The Applicant and VHB attended a scoping meeting with the City Staff and NHDOT to identify intersections to be analyzed as part of the Site Plan Application. As such, a comprehensive Traffic Impact Study was prepared which analyzed the traffic generated by the Project at the proposed driveways and nearby intersections relative to existing conditions and various future conditions. The Traffic Impact Study is included with the site plan review application this letter is part of. Please refer to that document for detailed analysis and findings.

4. Sufficiency, availability, and capacity of utility services to provide water, fire protection, and sewer, and further, the impact of the subdivision on the municipal solid waste disposal facilities.

Public and private utilities are available in Hanover Street. The Applicant will be submitting for a Sewer Allocation from the City for sewer capacity. A hydrant flow test will be performed to understand the flow rate and pressure available to the Site for domestic and fire protection services. Lebanon DPW will review the municipal utilities sufficiency and capacity as part of the Site Plan review process and the design refined as required. The Applicant will contract with a solid waste disposal company to remove the residential solid waste collected in dumpsters on-site.



5. (If applicable) The impact of on-site subsurface sewage disposal systems as to adjacent wells, water supply systems, and any known aquifers so designated by the United States Geological Survey.

Not applicable. Sanitary sewage generated by the Project will be collected on-site and discharged to the existing public sewer infrastructure in Hanover Street.

6. Any special fire, police and public safety problems due to location and/or special conditions relative to the type of use.

Portions of these items are addressed in the report attached hereto prepared by Fougere Planning and Development dated May 8, 2024 entitled "Fiscal Impact Analysis – The Brickyard – Hanover Street". Past meetings with City Staff did not identify any specific conditions or problems with the Site, however the Applicant will continue to coordinate with City Staff and the appropriate departments to address concerns that may arise during permitting.

7. Impact of drainage from the subdivision on abutting properties and potential drainage problems both on the site of the subdivision and downstream from the subdivision.

A stormwater management plan has been prepared in accordance with the City of Lebanon regulations and NHDES Alteration of Terrain regulations and is included in this application package. The stormwater management design will be reviewed by the City Engineer or Peer Review Engineer as part of the site plan review process. The report will also be submitted to NHDES as part of the upcoming Alteration of Terrain Permit. A copy of those documents will be shared with the City at the time of the NHDES submission.

8. Fiscal impact statement analyzing the impact of the subdivision on municipal, school and county revenues and expenditures, including estimated potential tax revenue and estimated number of school children.

These items are addressed in the report attached hereto prepared by Fougere Planning and Development dated May 8, 2024 entitled "Fiscal Impact Analysis – The Brickyard – Hanover Street". Please refer to that document for detailed analysis and findings.

On behalf of the Applicant, we hope this information is satisfactory in describing the Project, its approach, and its impacts to the community. Please feel free to contact me with any questions you may have.

Thank you,

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

Dave Fenstermacher, PE
Managing Director



City of Lebanon, New Hampshire APPLICATION FOR WAIVERS

Office Use Only

Date Received: _____

File No.: _____

PROJECT INFORMATION

Name of Applicant: Brickyard One Nominee Trust

Project Name: Brickyard Multi-family Planned Unit Residential Development

Project Address: 174 Hanover Street Ext.

WAIVER REGULATIONS

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

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

OR

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

WAIVER REQUEST(S)

I (we) hereby request a Waiver from:

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

1. Section ^{5.1.E(7)} of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because the required information for all but 2 existing buildings within 200' of the Site is provided. One omitted building is a school maintenance building that is nearly 200' from the Site. Both omitted buildings are of similar height to those shown on the site plans and are omitted because they are located beyond the limits of the existing conditions survey.
2. Section ^{5.1.E(16)(b)} of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because the Site consists of 23 acres, the vast majority of which is wooded. A quantity of trees prohibitive to identifying all sitewide are 12" in diameter or larger. The Project will be planting a significant amount of trees as part of the landscaping requirements and compliance calculations are provided on the Landscape Plans.

3. Section ^{5.1.E(21)(b)} ___ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because profiles are provided at different scales than the required 1"=40' Horizontal (1"=30') or 1"=4' Vertical (1"=6'). The Applicant requests relief from the required 1"=40' as it would add unnecessary additional blank space to the plans while reducing readability. The Applicant also requests relief from the required 1"=4', as it is required to show more elevation on each profile given the steep topography on this site.
4. Section ^{6.6.C.1(2)k} ___ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because the stormwater management design is based on preliminary information from a Certified Soil Scientist and confirmatory test pits will be completed as soon as proposed stormwater management locations are accessible. Results will be shared with the City and the design updated if necessary.
5. Section ^{5.1.E.(7)} ___ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because the requested waiver is temporary and the spirit and intent of the regulations will be met. The waiver is requested to allow submission of the proposed single family residence building elevation views at a later date. The building will not exceed 35' in height as required by the Zoning Ordinance. Elevations will be provided prior to completion of the public hearing process.
6. Section ___ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____
7. Section ___ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____
8. Section ___ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

SIGNATURE

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

Signature of Applicant:  Date: July 2, 2024

CITY OF LEBANON, NH SITE PLAN REVIEW REGULATIONS TECHNICAL CHECKLIST	
PROJECT NAME: The Brickyard Residential Development	
APPLICANT: Brickyard One Nominee Trust	DATE: 05/10/2024
GENERAL SUBMISSION REQUIREMENTS:	

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

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

The appropriate filing fees. [§5.1.B]

A written project description. [§5.1.C]

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

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

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

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

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

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

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

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

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

PLAN SUBMITTAL TECHNICAL CHECKLIST:

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

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

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

[Checklist begins on following page]

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

[illegible]

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

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

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

Plan Requirements (cont.)	Info. Provided	Waiver Sought
5.1.E(13) - Plan for outdoor lighting showing proposed location, mounting height, fixture type, lamp type, color correlated temperature (CCT), and wattage of all exterior free-standing lighting or building-mounted fixtures.	☒	☐
5.1.E(13) - Analyses and illuminance-level diagrams, to include average and minimum foot-candle measurements, showing that proposed installation conforms to the lighting-level standards in Site Plan Review Regulations.	☒	☐
5.1.E(13) - Manufacturer's specification information for each proposed light fixture and lamp (NOTE: This information may be provided on the plan or as a separate attachment).	☒	☐
5.1.E(13) - Drawings of all relevant building elevations showing location and height of all building-mounted fixtures, the portions of any walls or architectural features to be illuminated, illumination levels of walls or architectural features, and aiming points for any remote light fixtures.	☒	☐
5.1.E(14) - Plan for location of free-standing or building-mounted signs, including location, mounting, aiming, and shielding of any remote light fixtures for externally-lit signs.	☒	☐
5.1.E(14) - For internally-lit signs, relevant information concerning the method of illumination and the opacity of the sign background, showing that the proposed installation conforms to the requirements of the Regulations.	☒	☐
5.1.E(15) - The location and boundaries of any Overlay Districts established pursuant to Article IV of the Zoning Ordinance (including but not limited to the Wetlands Conservation District, Riverbank Protection District, Steep Slopes District, and Floodplain District) and, if applicable, protected shorelands pursuant to the Shoreland Water Quality Protection Act (NH RSA 483-B).	☒	☐
5.1.E(15) - For properties located within the Floodplain District, the 100-year flood elevation, floodway, shoreland protection zone, and flood plain limits shall be identified.	☒	☐
5.1.E(16) - Landscaping plan showing proposed new plantings to be installed and existing natural vegetation to be retained. Plan shall show in detail the number, size (height and/or caliper), and species (botanical and common names) of all proposed shrubs and trees.	☒	☐
5.1.E(16) - Existing trees over 12 inches in diameter (measured 4.5 feet above ground surface) within 25 feet of the disturbed area, must be counted and shown on the plan, if included towards fulfilling landscaping requirements.	☐	☒
5.1.E(16) - Calculations for square footage of perimeter landscaping.	☒	☐
5.1.E(16) - Parking lot shading calculations shall be provided by depicting new trees and shrubs at 10-year crown size.	☒	☐
5.1.E(17) - Existing and proposed surface and subsurface storm drainage facilities, including City storm drainage facilities located within 200' of site.	☒	☐
5.1.E(17) - Plans for retention, detention, slow release, and treatment of storm water shall be provided shall be provided in accordance with the requirements of Section 6.6.	☒	☐
5.1.E(18) - Section 6.6. Stormwater Management submission requirements.	See Stormwater Checklist	
5.1.E(19) - Plans for snow removal and storage.	☒	☐

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

Plan Requirements (cont.)	Info. Provided	Waiver Sought
5.1.E(20) - A plan for the development showing provisions for automobile, transit, bicyclist, and pedestrian access and circulation. Such plan shall show both existing and proposed means of access to the site including connections with, public streets, sidewalks, transit stops, and formal paths/trails. Plans shall include any traffic calming and traffic control devices necessary in conjunction with the site development, as well as the location of all existing transit routes and transit stops located or passing within 1/4 mile (1,320 feet) of the property.	☒	☐
5.1.E(21) - Construction detail drawings including, but not limited to, pavements, walks, steps, curbing, drainage structures, water and/or sewer utilities, ground-mounted signage (e.g., fire lanes, ADA parking, commercial), surface treatments, transit shelters, energy generation units (e.g., solar), bike rack style, electric vehicle charging, outdoor lighting, outdoor furniture, retaining walls, tree boxes and other site systems or structures. Accompanying specifications and cutsheets may be required.	☒	☐
5.1.E(21) - Where applicable, roadway, drainage, water and sewer utility profile drawings shall be provided at a scale of 1"=40 feet (horizontal) and 1"=4 feet (vertical) and typical cross-section drawings shall be provided at a scale of 1"=5 feet (horizontal and vertical), unless prior approval to use an alternate scale is granted by the Reviewing Engineer. (NOTE: Ordinarily, only two (2) sets of such construction drawings shall be provided to the Planning and Development Department with the application submission.)	☐	☒
5.1.E(22) - Depict any current and proposed easements, rights-of-way, and deed restrictions including those related to sewer, electrical utility, shared access, etc.	☒	☐
5.1.E(23) - For multi-family structures, plans for on-site recreational facilities.	☒	☐
5.1.E(24) - Where a fire, emergency equipment, or similar vehicle turnaround area is provided, it must have an adequate turn radius. Provide CAD Autoturn data or a similar basis of design for the turn radius, if requested by Lebanon Fire or Engineering staff. City staff may also ask for this information at any time.	☒	☐
Supporting Documents and Information, Where Applicable	Info. Provided	Not Applicable
5.1.G(1) - An estimated timetable, to include phasing schedules, for construction and completion of buildings, parking, facilities, landscaping, and other required improvements.	☒	☐
5.1.G(2) - Any development estimated to generate a net increase of 100 peak hour trips or 1,000 average daily trips (based upon the most current edition of the ITE Trip Generation Manual) shall prepare and submit a Traffic Impact Study in accordance with standard traffic analysis conventions as set forth by the NHDOT. The Board may, at its discretion, require the submission of a Traffic Impact Study for developments estimated to generate less than 100 peak hour trips or 1,000 average daily trips if the Board has reason to believe such development could adversely affect levels of service or have other adverse impacts.	☒	☐
5.1.G(3) - Written requests for waivers from all applicable provisions of these Regulations shall be provided pursuant to Article VII - "Waiver Procedure". (note: use Application for Waivers form).	☒	☐
5.1.G(4) - For multi-family dwelling developments and mixed-use developments resulting in a net increase of 50 dwelling units or more, the application shall include the information and impact statements identified in Section 6.9.B.	☒	☐

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

Completed By: Tom D'Aguiar, PE (VHB)

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

CITY OF LEBANON, NH STORMWATER REVIEW REGULATIONS TECHNICAL CHECKLIST	
PROJECT NAME: The Brickyard Residential Development	
APPLICANT: Brickyard One Nominee Trust	DATE: 05/10/2024

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

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

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

[Stormwater checklist begins on following page]

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

[illegible]

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

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

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

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

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

Completed By: Tom D'Aguiar, PE (VHB)

(Last Revised 9/20/2021)

Planning office Use Only:

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



July 2, 2024

Ref: 52933.00

Mr. Nathan Reichert
Planning and Development Director
51 North Park Street
City Hall, 5th Floor
Lebanon, NH 03766

Re: Proposed Multi-Family Development
Completeness Review Items Response

Dear Mr. Reichert:

On behalf of Brickyard One Nominee Trust (the "Applicant"), VHB is pleased to provide the following responses to the site plan application's completeness review for the proposed multi-family development (the "Brickyard"). This letter is in response to the email sent by Tim Corwin from the City of Lebanon on June 28, 2024.

For ease of reference, VHB has provided a copy of each comment in italics followed by responses in plain text.

These responses have been prepared by the project team, including:

- Brickyard One Nominee Trust – Applicant
- VHB – Land Surveyor, Site Civil Engineer, Traffic Engineer, and Landscape Architect

Completeness comments per Section 4.7 A.2

1. *Address Bldg 1, 2, and 6 building height issue (45 ft is the max in the R-O-1) (comment originally provided via e-mail sent 6/24).*

VHB Response: The building heights have been addressed and updated elevation views are submitted as part of this package.

2. *Include an open space plan with the plan clearly delineating the open space.*

VHB Response: An Open Space Plan has been provided. Please see Sheet C1.2 of the Site Plans.

3. *Need to submit a Conditional Use Permit support statement for the PURD.*

VHB Response: A Conditional Use Permit Support Statement for the PURD has been submitted as part of this package.

4. *Need narrative responding to the PUD criteria set forth in Section 501.1 of the Zoning Ordinance and the PURD criteria set forth in Section 501.2.*

VHB Response: A narrative responding to the PUD criteria has been submitted as part of this package. Please see the document titled "PUD & PURD Narrative".



5. *55 ft. building heights require a CUP per Section 308.4-provide a Conditional Use Support Statement*

VHB Response: A Conditional Use Permit Support Statement for the 55' building heights has been submitted as part of this package.

6. *EV parking:*

- a. *Required EV-READY SPACES is 156 (not 117)*
- b. *Minimum number of EV-CAPABLE SPACES is 507 (currently none are provided)*

VHB Response: The Parking Tables have been updated on the Cover Sheet of the Site Plans to provide the required EV parking calculations. The Site Plans C2.1 through C2.3 note the type of EV parking space as EV, EV-Ready or EV-Capable. The Legend on C1.1 has been updated to include the acronyms shown on the parking stalls. The acronyms are graphical only and will not be painted on the spaces.

7. *The following information required by Section 5.1.E of the Site Plan Review Regulations is missing or incomplete (see bolded text):*

4. *The following information shall be provided on the first page (or cover page, if applicable) of the Site Plan:*

- e. *The following basic site information in TABLE FORM:*
 - (4) *Gross floor area of existing and proposed buildings/additions;*
 - (8) *Height of existing and proposed buildings/additions;*
 - (9) *Number of stories and gross square footage of each;*
 - (10) *Proposed use;*

VHB Response: The requested information has been added to a table on the Cover Sheet of the Site Plans under the Site Information table.

8. *The location of existing natural features such as streams, marshes, lakes, ponds, wetlands, rock outcrops, or wooded areas, and existing man-made features such as roads and structures. The plan shall indicate those natural and man-made features that are to be removed, retained, or altered. Wetlands on the property shall be delineated by a NH Certified Wetlands Scientist, whose seal and signature shall appear on the plan.... STAFF NOTE: Indicate natural and man-made features to be removed, retained or altered on the existing conditions plan....*

VHB Response: Consistent with prior Planning Department discussion, the demolition notes on sheet C1.1 of the Site Plans cover this scope. However, VHB has added additional labels to clarify items to remain or be removed on the Site and will continue to coordinate with the Planning Department and other groups to clarify as needed through additional plan refinements as the Project advances through the permitting process.



9. *The Zoning District, Tax Map and Lot number, and use of abutting properties within 200 feet of the site boundary; the locations of streets, pedestrian paths/trails, and bicycle routes within 200 feet of the site boundary; and the location of curb cuts and vehicle accesses within 200 feet of the site boundary.*

VHB Response: Please see Sheet C1.2 for a larger abutter map and zoning plan. This plan also notes the locations of the pedestrian paths/trails, biking trails, and nearby bus stop in relation to the development site.

13. *Manufacturer's specification information shall be provided for each proposed light fixture and lamp.*

AND

The plan shall also include drawings of all relevant building elevations, showing the location and height of all building-mounted fixtures[.]

STAFF NOTE: Need an architectural elevation of the maintenance building

VHB Response: The lighting manufacturer's specification information has been provided for each currently proposed light fixture located on the Site and on the buildings. VHB has coordinated with the Planning Department on providing the Maintenance Building elevation views at a later date. The building will not exceed 35' in height as required by the Zoning Ordinance. A waiver request has been submitted as part of this package for relief from the requirement until it is provided.

14. *A plan for the location of free-standing or building-mounted signs, including the location, mounting, aiming, and shielding of any remote light fixtures for externally-lit signs. For internally-lit signs, relevant information concerning the method of illumination and the opacity of the sign background shall be provided, showing that the proposed installation conforms to the requirements of these Regulations.*

VHB Response: No signs are currently proposed at the entrances to the development, so this comment no longer applies. The Applicant will provide the requisite information if a sign is proposed later.

20. *A plan for the development showing provisions for automobile, transit, bicyclist, and pedestrian access and circulation. Such plan shall show both existing and proposed means of access to the site including connections with, public streets, sidewalks, transit stops, and formal paths/trails. Plans shall include any traffic calming and traffic control devices necessary in conjunction with the site development, as well as the location of all existing transit routes and transit stops located or passing within 1/4 mile (1,320 feet) of the property.*

VHB Response: A plan for the development showing provisions for different transportation and pedestrian access and circulation has been added as Sheet C1.3. Existing and proposed means of access to the Site have also been added. The plan includes the location of all existing transit routes and transit stops located or passing within 1/4 mile of the property, the pedestrian path to the right-of-way, and the location of trails within 200' of the Site.

Mr. Nathan Reichert
Ref: 52933.00
July 2, 2024
Page 4



We hope that the responses provided herein are satisfactory. We are available to discuss further if helpful.

Sincerely,
VHB

A handwritten signature in blue ink, appearing to read "DFenstermacher", written over a light blue horizontal line.

David Fenstermacher, PE
Director of Land Development

Site Plans

Issued for	Permitting
Date Issued	May 10, 2024
Latest Issue	July 2, 2024

The Brickyard Residential Development

174 Hanover Street Extension
Lebanon, New Hampshire 03766
Grafton County

Owner/Applicant

Brickyard One Nominee Trust
Richard M. Marchese, Trustee
P.O. Box 720, Middleton, MA 01949

Assessor's Map/Lot: Map 48 Lots 01, 02, & 04 Map 63 Lot 01

Parking Requirements:				
DWELLING, APARTMENT, ONE BEDROOM AND UP	474 UNITS	x	1.5 SPACES	/ 1 UNIT = 711 SPACES
TOTAL PARKING REQUIRED				= 711 SPACES
MAXIMUM PARKING ALLOWED (120% OF REQUIRED)				= 863 SPACES

Parking Summary Chart

Description	Size		Spaces	
	Required	Provided	Required	Provided
STANDARD SPACES	9 x 18	9 x 18*	9	81
EVSE-INSTALLED PARKING SPACES**	9 x 18	9 x 18	39	40**
EV-READY PARKING SPACES***	9 x 18	9 x 18	156	156***
EV-CAPABLE PARKING SPACES****	9 x 18	9 x 18	507	507****
TOTAL SPACES			711	784
TOTAL ACCESSIBLE SPACES *****	9 x 18	9 x 18	14	21
VAN ACCESSIBLE SPACES*****	8 x 18	9 x 18	2	11
LOADING BAYS			0	0

* 8 x 18 SPACES BELOW BUILDINGS REQUESTED AS ALTERNATE PARKING DESIGN PER SECTION 6.5.E(3) OF THE SITE PLAN REVIEW REGULATIONS.
** 40 SPACES LOCATED EXTERNALLY, 0 INTERNALLY
*** 123 SPACES LOCATED EXTERNALLY, 33 INTERNALLY
**** 48 SPACES LOCATED EXTERNALLY, 459 INTERNALLY
***** ADA/STATE/LOCAL REQUIREMENTS
***** INCLUDES 1 ACCESSIBLE STALL BELOW EACH APARTMENT BUILDING

Bicycle Parking Summary Chart

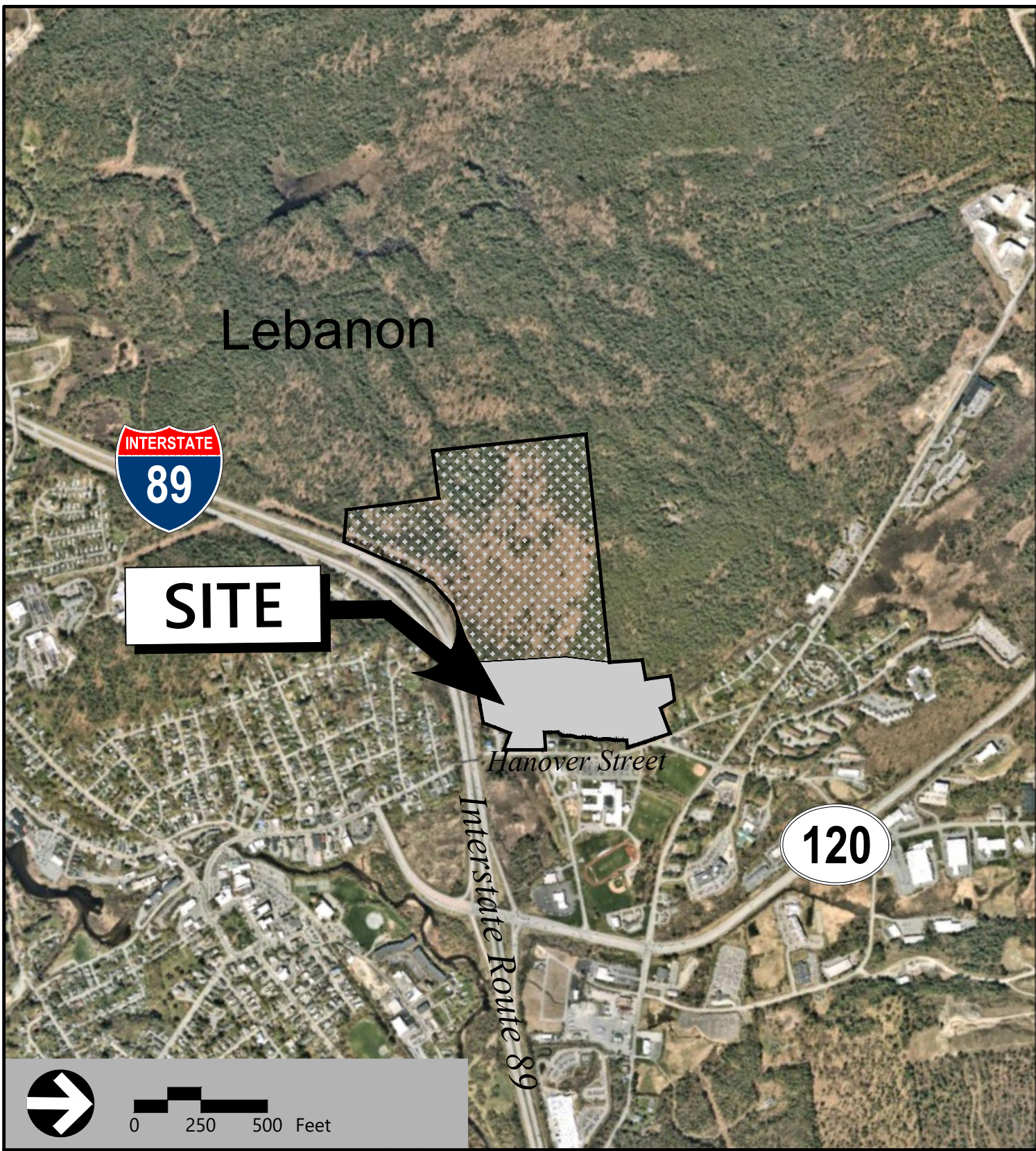
Description	Spaces	
	Required	Provided
SHORT TERM SPACES	71	80
LONG TERM SPACES	142	142
TOTAL SPACES	213	222

EV Parking Requirements (Included within Total Parking Required):				
EVSE-INSTALLED PARKING SPACES*	784 SPACES	x	5%	= 39 SPACES
EV-READY PARKING SPACES (EV)*	784 SPACES	x	20%	= 156 SPACES
EV-CAPABLE PARKING SPACES (EV)*	784 SPACES	x	65%	= 507 SPACES
TOTAL EV PARKING REQUIRED (INCLUDED IN TOTAL PARKING REQUIRED)				= 702 SPACES

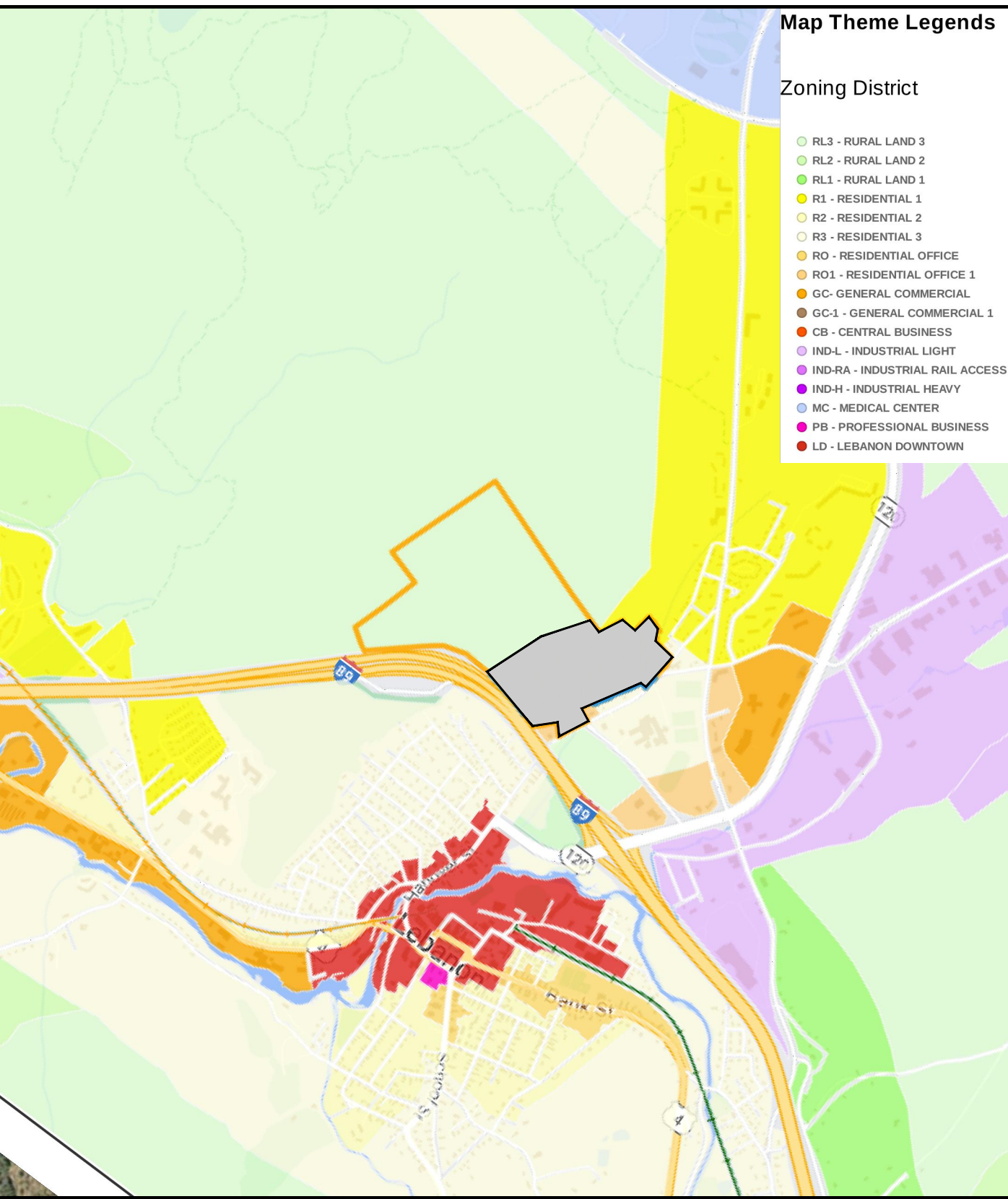
* REQUIRED EVSE-INSTALLED PARKING SPACES = 5% OF TOTAL PROVIDED PARKING.
REQUIRED EV-READY PARKING SPACES = 20% OF TOTAL PROVIDED PARKING.
REQUIRED EV-CAPABLE PARKING SPACES = 65% OF TOTAL PROVIDED PARKING

Bicycle Parking Requirements:

SHORT TERM PARKING	474 UNITS	x	0.15 SPACES	/ 1 UNIT = 71 SPACES
LONG TERM PARKING	474 UNITS	x	0.3 SPACES	/ 1 UNIT = 142 SPACES
TOTAL PARKING REQUIRED				= 213 SPACES



No.	Drawing Title	Latest Issue
C1.0	Legend and General Notes	May 10, 2024
C1.1	Abutter and Zoning Plan	July 2, 2024
C1.2	Open Space Plan	July 2, 2024
C1.3	Access and Circulation Plan	July 2, 2024
C2.0	Overall Layout and Materials Plan	July 2, 2024
C2.1	Layout and Materials Plan 1	July 2, 2024
C2.2	Layout and Materials Plan 2	July 2, 2024
C2.3	Layout and Materials Plan 3	July 2, 2024
C3.0	Overall Grading and Drainage Plan	May 10, 2024
C3.1	Grading and Drainage Plan 1	May 10, 2024
C3.2	Grading and Drainage Plan 2	May 10, 2024
C3.3	Grading and Drainage Plan 3	May 10, 2024
C4.0	Overall Utility Plan	May 10, 2024
C4.1	Utility Plan 1	May 10, 2024
C4.2	Utility Plan 2	May 10, 2024
C4.3	Utility Plan 3	May 10, 2024
C5.0	Overall Erosion Control Plan	May 10, 2024
C5.1	Erosion Control Plan 1	May 10, 2024
C5.2	Erosion Control Plan 2	May 10, 2024
C5.3	Erosion Control Plan 3	May 10, 2024
C6.1	Plan and Profile 1	May 10, 2024
C6.2	Plan and Profile 2	May 10, 2024
C6.3	Plan and Profile 3	May 10, 2024
C7.1 - C7.5	Site Details 1 - 5	May 10, 2024
C8.1	Phasing Plan 1	May 10, 2024
C8.2	Phasing Plan 2	May 10, 2024
L1.0	Overall Landscape and Tree Shading Plan	May 10, 2024
L1.1	Landscape Plan 1	May 10, 2024
L1.2	Landscape Plan 2	May 10, 2024
L1.3	Landscape Plan 3	May 10, 2024
L2.1	Landscape Details	May 10, 2024



No.	Drawing Title	Latest Issue
SL-1A	Site Lighting Photometric Calculation	July 2, 2024
0089-1201-A	Proposed Plans and Elevations	July 2, 2024
Sv-1 - Sv-3	Existing Conditions Plan of Land	April 1, 2024

Zoning Summary Chart

Zoning Districts:	Residential 1 (R-1), Residential 3 (R-3), Residential-Office-1 (R-O-1), (RL-3)	
Overlay District:	Flood Zone A, Wetlands Conservation District	
Tax Map & Lot #:	48-01, 48-02, 48-04, & 63-01	
Zoning Regulation Requirements	Required	Provided
MINIMUM LOT AREA	28.5 Acres	126.3 Acres
FRONTAGE	20.0 Feet	932.0 Feet
FRONT YARD SETBACK	20 Feet	21 Feet
SIDE YARD SETBACK	15 Feet	58 Feet
REAR YARD SETBACK	20 Feet	56 Feet
MINIMUM LOT WIDTH	75 Feet	932 Feet
MAXIMUM BUILDING HEIGHT	55 Feet	55 Feet
MAXIMUM BUILDING COVERAGE	25.0 %	13.3 %
BUILDING COVERAGE	N/A	164,950 SF
GROSS FLOOR AREA	N/A	655,000 SF
IMPERVIOUS COVERAGE	N/A	403,365 SF (32.5%)
USE	N/A	Planned Unit Residential Development (PURD)

PURD Calculations

Zone	Buildable Area (SF)**	/	Permitted Dwelling Units
RESIDENTIAL 1 (R-1)	989,956	3,000	330.0
RESIDENTIAL-OFFICE-1 (R-O-1)	249,920	3,000	83.3
RESIDENTIAL 3 (R-3)	81,820	10,000	8.2
1 PER 10,000*	20,000	10,000	2.0
SUBTOTAL	1,239,876		423
*TOTAL (INCLUDES 12% BONUS)			474

* FIRST 10,000 SQUARE FEET OF ZONE R-1 SUBTRACTED FROM TOTAL SQUARE FOOTAGE. ZONING ALLOWS 474 DWELLING UNITS TOTAL.
** FOR THE PURD CALCULATIONS THE RL-3 ZONE (97.8 ACRES) HAS BEEN EXCLUDED, AREA RESERVED FOR POTENTIAL FUTURE BUILDOUT.

Open Space Calculations

Zone*	Total Area (SF)	% Required	Open Space Required
RESIDENTIAL 1 (R-1)	1,252,605	30	375,782 SF
RESIDENTIAL-OFFICE-1 (R-O-1)	286,532	30	85,960 SF
RESIDENTIAL 3 (R-3)	123,849	50	61,925 SF
TOTAL OPEN SPACE REQUIRED			523,666 SF

* THE RL-3 ZONE HAS BEEN EXCLUDED FROM THE PURD CALCULATIONS, AREA RESERVED FOR POTENTIAL FUTURE BUILDOUT

Site Information

	EXISTING	PROPOSED
GROSS FLOOR AREA	13,325 SF*	TOTAL: 681,650 SF 75,600 SF (BLDG 3-5, 7-10) 56,700 SF (BLDG 2, 6) 34,650 SF (BLDG 1) 4,400 SF (MAINTENANCE BLDG)
BUILDING HEIGHT	+/- 30' (FORMER CHIMNEY)	55' (BLDG 3-5, 7-10) 45' (BLDG 1-2, 6) 35' MAX (MAINTENANCE BLDG)
NUMBER OF STORIES; GROSS FLOOR AREA OF EACH STORY	1 STORY, 8,179 SF (48-4) 2 STORIES, 1,595 SF (63-1)	5 STORIES, 18,900 SF (BLDG 3-5, 7-10) 4 STORIES, 18,900 SF (BLDG 2, 6) 4 STORIES, 11,550 SF (BLDG 1) 2 STORIES, 2,200 SF (MAINTENANCE BLDG)
LAND USE	MANUFACTURING, STORAGE	MULTIFAMILY RESIDENTIAL

* PER CITY OF LEBANON TAX ASSESSOR DATABASE



2 Bedford Farms Drive
Suite 200
Bedford, NH 03110
603.391.3900

Surveyor (VHB)

Mike Hammer, L.L.S.
2 Bedford Farms Drive
Suite 200
Bedford, NH 03110
603.391.3900

Architect

Studio Integrate
73 Commercial Street,
London E1, England
0203.722.7358

Civil Engineer (VHB)

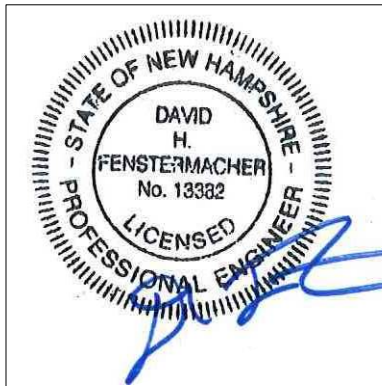
David Fenstermacher, P.E.
2 Bedford Farms Drive
Suite 200
Bedford, NH 03110
603.391.3900

Landscape Architect (VHB)

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

Wetland Scientist (Goddard)

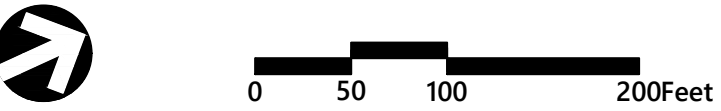
Scott G. Goddard
291 Main Street
Suite 8
Northborough, MA 01532





Legend

- PEDESTRIAN PATH TO PUBLIC R.O.W.
- VEHICLE PATH TO PUBLIC R.O.W.
- EXISTING PEDESTRIAN PATHS
- UPPER VALLEY MOUNTAIN BIKE ASSOCIATION TRAILS



**The Brickyard
Residential Development**

174 Hanover Street Extension
Lebanon, New Hampshire 03766

No.	Revision	Date	Appr'd
1	Completeness Review Comments	07/02/24	DF

Designed by	TMD	Checked by	MJV
Issued for		Date	May 10, 2024

Permitting

Not Approved for Construction

Access and Circulation Plan

Drawing Number

C1.3

Sheet 4 of 35

Project Number
52933.00

Page 35 of 166



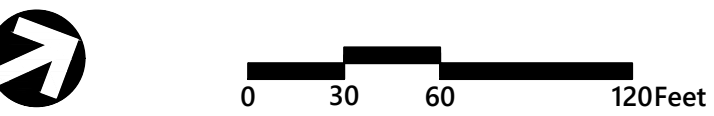
2 Bedford Farms Drive
Suite 200
Bedford, NH 03110
603.391.3900

ABUTTING PROPERTIES ACROSS INTERSTATE 89 INCLUDE THE FOLLOWING:

1. CITY OF LEBANON
MAP 76, LOT 8
BOOK 0, PAGE 0
51 NORTH PARK STREET
LEBANON, NH 03766
2. RADER III, GERALD LENARD
MAP 77, LOT 81
BOOK 0, PAGE 0
54 WINTER STREET
LEBANON, NH 03766
3. SEIDMAN, MAX JAMES
MAP 77, LOT 83
BOOK 0, PAGE 0
53 WINTER STREET
LEBANON, NH 03766
4. CITY OF LEBANON
MAP 77, LOT 107
BOOK 0, PAGE 0
51 NORTH PARK STREET
LEBANON, NH 03766
5. VALDIVIEZO ZENIA MAE
MAP 77, LOT 111
BOOK 0, PAGE 0
48 JUNIPER CIRCLE
LEBANON, NH 03766
6. LEE, CUONG V
MAP 77, LOT 113
BOOK 0, PAGE 0
194 PLAIN STREET
ROCKLAND, MA 02370
7. LEUCA MAGDALENA TTEE
MAP 77, LOT 115
BOOK 0, PAGE 0
9920 SE 40TH STREET
MERCER ISLAND, WA 98040

Notes

EXISTING BUS STOP AT CORNER OF HEATER RD AND OLD ETNA ROAD IS APPROXIMATELY 0.20 MILES AWAY FROM PROJECT SITE.



The Brickyard Residential Development

174 Hanover Street Extension
Lebanon, New Hampshire 03766

No.	Revision	Date	Appr.
1	Completeness Review Comments	07/02/24	DF

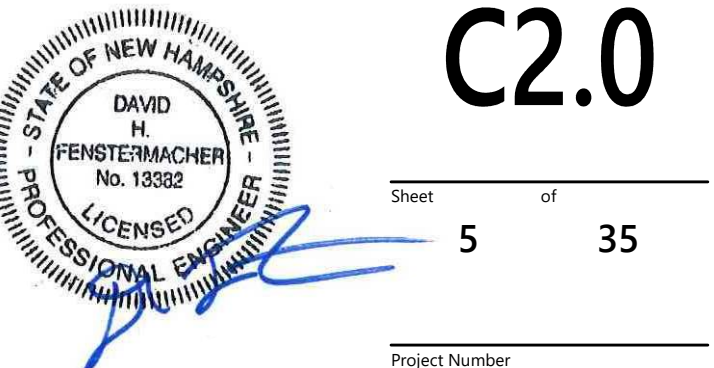
Designed by: TMD Checked by: MJV

Issued for: Permitting Date: May 10, 2024

Not Approved for Construction

Overall Layout and
Materials Plan

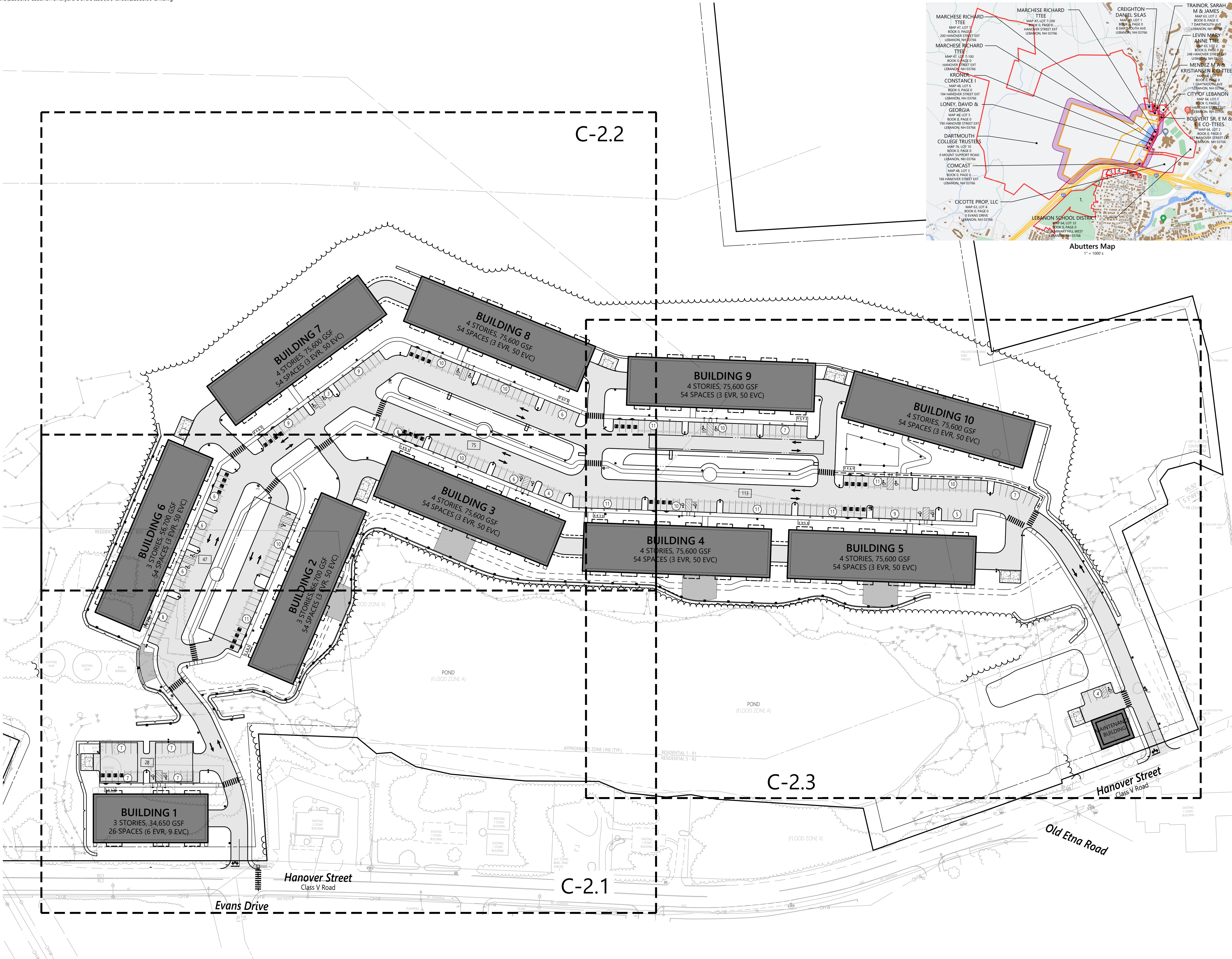
Drawing Number



C2.0

Sheet 5 of 35

Project Number
52933.00





CITY OF LEBANON ~ PLANNING & DEVELOPMENT

PLANNING BOARD

July 8, 2024 Meeting

Staff Memorandum – PB2024-25-EXT

APPLICATION INFORMATION

Agenda Item: 3.B

Application ID: PB2024-25-EXT

Application Type:

Request for extension of Site Plan approval of a phased 5-story 72-unit multi-family dwelling and a 6-story, 80-unit multi-family dwelling

Property Location & Tax Map:

2 Mascoma St (Tax Map 91, Lot 254)

Applicant/Property Owner: Recreo, LLC

Zoning District: Lebanon Downtown (LD)

Property Size: +/-2.1 acres per boundary line adjustment plat approved on April 11, 2022 (PB2022-16-BLA)

Zoning Overlay Districts: None

Future Land Use Map:

Central Business District

Existing Improvements and Use:

- +/-26,392 sq. ft. (finished) two-story multi-tenant commercial building constructed in 1975 (*per the City Assessor's records*)
- +/-5,436 sq. ft. (finished) one-story commercial building constructed in 1945 (*per the City Assessor's records*)

Proposed Improvements and Use:

Razing of 5,436 sq. ft. building and construction of two (2) multi-family dwellings with a total of 152 units, a parking garage, parking lot and related site improvements

Staff Attachments:

- 7/11/22 Notice of Action
- Approved Site Plan ("Layout Plan")
- Approved Phasing Plan dated March 14, 2022

LEGAL NOTICE

Recreo, LLC, 2 Mascoma Street (Tax Map 91, Lot 254), zoned LD: Applicant requests an extension of time per Section 4.10.B of the Site Plan Review Regulations to obtain a building permit pursuant to a site plan to construct two (2) multi-family dwellings containing a total of 152 units together with associated site improvements, originally approved on July 11, 2022 (PB2022-17-SPR). PB2024-25-EXT

PLANS AND APPLICATION MATERIALS

- ▶ Application form (1 page)
- ▶ 2 Mascoma Street Redevelopment Extension Request Narrative, dated May 13, 2024, prepared by Studio Nexus (2 pages)
- ▶ Letter dated January 25, 2023 from the NH Department of Environmental Services (Alteration of Terrain permit approval; 2 pages)
- ▶ NH Department of Environmental Services Shoreland Impact Permit 2022-02187, dated October 13, 2022 (2 pages)
- ▶ Certified Notification List (2 pages)
- ▶ Fee Schedule (1 page)

COMPLETENESS REVIEW

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

BACKGROUND

The subject property (outlined in blue in Figure 1 below) is currently improved with two commercial buildings:

- a +/-26,392 sq. ft. (finished) two-story multi-tenant commercial building constructed in 1975 (*per the City Assessor's records*), formerly occupied by the Village Market; and
- a +/-5,436 sq. ft. (finished) one-story commercial building constructed in 1945 (*per the City Assessor's records*), currently occupied by the Sunrise Buffer restaurant.

On July 11, 2022, the applicant obtained Site Plan approval to raze the Sunrise Buffet building and to redevelop the property with the construction of two (2) new multi-family buildings containing a total of 152 dwelling units (148 studios and 4 one-bedrooms) (PB2022-17-SPR). The project was approved to be constructed in two phases (see attached approved phasing plan). A copy of the Planning Board's Notice of Action is attached for reference. As described in the applicant's project narrative submitted with the original site plan application:

- Multi-family building #1, which will be located at the southern end of the property, "consists of a 5-story, 48,028 SF, 72-unit apartment building plus a basement level that sits atop an 8,028 SF, 17-car parking garage. Built on the southern end of the site, the building and its main entry are oriented east—facing the upper level parking lot and Colburn Park beyond. The parking garage is accessed from the north/lower level of the site along the west face of the existing market."
- Multi-family building #2, which will be located at the corner of Mascoma Street and Water Street, "consists of a 6- story (plus two walk-out basement levels), 56,800 SF, 80-unit residential building of similar construction and unit mix to Building 1. [...] [T]he building is oriented toward Colburn Park; its main entry and entry plaza—leading to a fully glazed lobby—is approached from the northeast, on the high side of the building pad and provides the building with a public face and connection to the street. Additional entries are located at the basement level at the corner of Mascoma and Water Streets and at the sub-basement level facing Water Street."
- "[The multi-family] buildings will provide small, but high quality studio (and a few one-bedroom) apartments in a diversity of sizes and shapes, but typically between 400 - 450 SF."

APPLICATION OVERVIEW

To date, the applicant has not yet begun construction or obtained a building permit for either phase. At this time the applicant is requesting an extension of time to obtain a building permit and to achieve active and substantial development. The basis for the applicant's request is set forth in the attached letter from Studio Nexus.

Note that the project is approved to be constructed in phases per Section 4.9 of the Site Plan Review Regulations (see attached approved phasing plan). For each phase, a phasing plan is supposed to identify the dates by which building permits will be obtained per Section 4.10.A, by which active and substantial development will be achieved per Section 8.4.A.2, and by which substantial completion will be achieved per Section 8.4.B.2. See Section 4.9.C. Here, the approved phasing plan does not identify any such dates and, therefore, the default deadlines apply to both phases (i.e. each phase has 2 years to obtain a building permit, each phase has 2 years to achieve active and substantial development, and each phase has 5 years to achieve substantial development).

Unless the applicant is comfortable with the default timelines noted above, Staff recommends that the applicant take this opportunity to prepare a complete phasing plan to identify the dates by which a building permit will be obtained, active and substantial development will be achieved, and substantial completion will be achieved for each phase.

Figure 1. Bird's Eye View of subject property (looking north).



©2021 Eagleview (image taken 4/4/2021)

SITE PLAN REVIEW REGULATIONS & STAFF COMMENTS

A. Building Permit Extension

Section 4.10.A of the Site Plan Review Regulations requires that an applicant obtain a building permit within two (2) years of site plan approval. If a building permit is not obtained within two years, the site plan approval is void. In this case, the applicant is required to obtain a building permit by July 11, 2024 (**for both phases** unless the phasing plan is amended as recommended above). As of the date of this memo, an application for a building permit for either phase has not yet been submitted. However, Section 4.10.B allows the Planning Board to grant an extension of up to two (2) additional years beyond the original expiration date, provided that the request is submitted prior to such expiration date. The applicant timely submitted the extension request on May 14, 2024 (i.e. prior to the expiration date in accordance with Section 4.10.B). Therefore, pursuant to Section 4.10.A, the Board may extend the deadline to obtain a building permit to any date up to and including July 11, 2026.

In determining whether to grant an extension (and the duration of any such extension), Section 4.10.C provides that "the Board shall consider the totality of the circumstances, including the extent and complexity of the conditions precedent, and whether the need for more time is attributable to unusual

circumstances beyond the control of the Applicant, rather than to the Applicant's neglect or failure to proceed with reasonable promptness.”

For reference, the relevant portions of Section 4.10 (“Expiration of Site Plan Approval”) are provided below:

- A. Any approved site plan for which a Building Permit has not been obtained within two (2) years of the date of the original approval shall be considered void; however, the Board may, for good cause, specify in the original Notice of Action some alternative time limit for obtaining a Building Permit. The voiding of an approval under this paragraph shall terminate the vesting of the application against changes in regulations, as set forth in RSA 676:12, VI and RSA 674:39.
- B. Notwithstanding paragraph A above, the Board may grant an extension of up to two (2) additional years beyond the original expiration date. A request for such an extension must be submitted by the Applicant to the Planning Office prior to such expiration date, and requests for extension of the site plan approval received after the expiration date will not be considered by the Board. An extension may be granted only after a public hearing with notice as provided in Section 4.8 of these Regulations.
- C. In determining whether to grant such an extension, the Board shall consider the totality of the circumstances, including the extent and complexity of the conditions precedent, the extent of the progress made by the Applicant toward satisfying the conditions-precedent and/or starting construction, and whether the need for more time is attributable to unusual circumstances beyond the control of the Applicant, rather than to the Applicant's neglect or failure to proceed with reasonable promptness. The Board shall indicate in its minutes the reason(s) for its decision on an extension request under this Section. The Board shall grant no more than one extension for any site plan, unless it determines, based on legal advice, that such extension is required in order to prevent a violation of constitutional rights.

If the applicant's extension request is disapproved, the July 11, 2022 site plan approval will automatically be deemed void.

B. Active and Substantial Development (Vesting) Extension

Section 8.4.A.2 of the Site Plan Review Regulations requires that, “Active and Substantial Development,” as defined in Section 8.4.A.1 (provided below) shall be achieved within two (2) years from the date of the Planning Board's approval. If active and substantial development is not achieved within two (2) years of the date of the Planning Board's approval, the development shall be subject to any changes in the City's land use regulations. In this case, the applicant is required to achieve active and substantial development by July 11, 2024 (**for both phases** unless the phasing plan is amended as recommended above).

Upon demonstration of “good cause,” Section 8.4.A.3 allows the Planning Board to grant an extension of the time for completion of active and substantial development of up to five (5) years from the date of the Planning Board's approval, provided that the request is submitted prior to the expiration date set forth in Section 4.10. The applicant's extension request was timely submitted, as noted above. Therefore, the Board may grant an extension of time to achieve active and substantial development to any date up to and including July 11, 2027.**

*[**Note that “substantial completion” (as defined in Section 8.4.B.1) must be achieved within five (5) years of the Board’s approval, and the timeframe within which to achieve “substantial completion” may not be extended. Consequently, as a practical matter, if the Board grants an extension and allows active and substantial development to be achieved within 5 years from the date of the original approval, the Board would effectively eliminate the requirement to achieve active and substantial development (since substantial completion needs to be achieved no matter what within 5 years of the original approval). Instead, as a practical matter, the project would only be subject to the five (5) year “substantial completion” deadline. The effect would be to fully vest the project from changes in the land use regulations for a period of 5 years, without having to first achieve the “active and substantial development” threshold.]*

As noted above, the Board must find that there is “good cause” to extend the deadline to achieve active and substantial development. If a site plan fails to achieve the two-year active and substantial development, it is no longer “vested” and must comply with current land use regulations. This will only matter if the land use regulations have changed in a meaningful way since the project was originally approved (there are no regulatory changes that have been enacted since July 11, 2022, that would substantially impact the project, if any at all).

For reference, Section 8.4.A (“Active and Substantial Development or Building”) is provided below:

1. For purposes of these Regulations, unless modified by the Board at the time of approval of a specific application, the completion of all of the following shall imply “Active and Substantial Development or Building” when inspected and approved by the Reviewing Engineer:
 - a. Construction of and/or installation of basic infrastructure to support the development (including all of the following: roadways, access ways, parking lots, etc. to a minimum gravel base; and water and wastewater lines and other utilities placed in underground conduit ready for connection to proposed buildings/structures) in accordance with the approved plans; and,
 - b. 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,
 - c. Placement and maintenance of all erosion control measures on the site as specified on the approved plans.

Movement of earth, excavation, or logging of a site without completion of items a, b, and c above, shall not be considered “Active and Substantial Development or Building.” Plans approved in phases shall be subject to this definition for the phase or phases currently being developed.

2. Unless otherwise specified by the Board, Active and Substantial Development or Building shall be achieved within two (2) years from the date of the Planning Board’s approval.
3. 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 time

within which to complete such Active and Substantial Development or Building shall be submitted by the Applicant to the Planning and Development Department prior to such expiration date for review in accordance with the provisions of Section 4.10 of these Regulations. 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. An extension may be granted only after a public hearing with notice as provided in Section 4.8 of these Regulations.

In no event shall the time for completion of Active and Substantial Development or Building be extended to more than five (5) years from the date of the Planning Board's approval, unless the development has been approved for completion in phases in accordance with Section 4.9 of these Regulations. In the event the Planning Board approves an extension request, the Applicant shall be required to update any Security Agreements or other documents, as necessary, to reflect the dates of the extended approval.

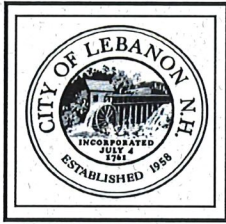
STAFF RECOMMENDATIONS

If the Planning Board moves to approve the applicant's request, then based on the information reviewed by City staff, the Planning and Development Department recommends that the Planning Board approve the application with the conditions below. Note, however, that if the applicant chooses to request a modification to the phasing plan as recommended by staff, the proposed conditions below would need to be amended.

1. The applicant shall satisfy and comply with the Planning Board Notice of Action for PB2022-17-SPR, dated July 11, 2022, and all conditions of approval thereof except as may be superseded by the conditions below.
2. A building permit must be applied for *and issued* for each phase by no later than _____ (*TBD by the Board, but can be no later than July 11, 2026*).
3. "Active and substantial development," as defined in Section 8.4.A.1 of the Site Plan Review Regulations, shall be achieved for each phase by no later than _____ (*TBD by the Board, but can be no later than July 11, 2027*). If active and substantial development is not achieved by _____, the development shall be subject to all changes in the City's land use regulations.
4. "Substantial completion," as defined in Section 8.4.B.1 of the Site Plan Review Regulations, shall be achieved within five (5) years of the July 11, 2022 approval for PB2022-17-SPR. If substantial completion is not achieved within that time, the development shall be subject to all changes in the City's land use regulations.

Attachments

cc: Recreo, LLC (tim@ledgworks.com)
Jim Wasser, Studio Nexus (jimw@studionexusarch.com)
File



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

NOTICE OF ACTION LEBANON PLANNING BOARD PB2022-17-SPR

Notice is hereby given that on **May 9, 2022** the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Jeremy Rutter moved that the application of Recreo, LLC, 2 Mascoma Street (Tax Map 91, Lots 254), zoned LD is complete enough for the Planning Board to accept jurisdiction and commence review.

The motion was seconded by **Laurel Stavis**. The vote on the motion was unanimous in favor, 9-0.

Notice is hereby given that on **June 27, 2022**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Matthew Hall moved that for the application of Recreo, LLC, PB2022-17-SPR, the Lebanon Planning Board **APPROVE** a waiver from the following section of the Site Plan Review Regulations:

- Section 6.2.B.1 – to allow less than the minimum required 15 ft. buffer at the southeastern corner of the property between the buried propane tanks and the property line.

The motion was seconded by Kathie Romano. The vote on the motion was approved, 5-3.

Notice is hereby given that on **June 27, 2022**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Matthew Hall moved that for the application of Recreo, LLC, PB2022-17-SPR, the Lebanon Planning Board **APPROVE** a waiver from the following section of the Site Plan Review Regulations:

- Section 6.2.B.4 – requiring all trees to be planted a minimum of 8 ft. from any property line.

The motion was seconded by **Cori Hirai**. The vote on the motion was approved, 7-1.

Notice is hereby given that on **June 27, 2022**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Matthew Hall moved that for the application of Recreo, LLC, PB2022-17-SPR, the Lebanon Planning Board **APPROVE** a waiver from the following section of the Site Plan Review Regulations:

- Section 6.2.D.1 – landscaping around buildings requirements (with respect to the Village Market building).

The motion was seconded by **Cori Hirai**. The vote on the motion was approved, 7-1.

Notice is hereby given that on **June 27, 2022**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Matthew Hall moved that for the application of Recreo, LLC, PB2022-17-SPR, the Lebanon Planning Board **APPROVE** a waiver from the following section of the Site Plan Review Regulations:

- Section 6.2.D.1 – landscaping around buildings requirements (with respect to multi-family building #2).

The motion was seconded by **Kathie Romano**. The vote on the motion was approved, 6-2.

Notice is hereby given that on **June 27, 2022**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Matthew Hall moved that for the application of Recreo, LLC, PB2022-17-SPR, the Lebanon Planning Board **APPROVE** a waiver from the following section of the Site Plan Review Regulations:

- Section 6.5.E.8 – requiring parking lots with multiple drive aisles to be oriented perpendicular to the building to reduce the number of traffic aisles that a pedestrian must cross to reach the building.

The motion was seconded by **Kathie Romano**. The vote on the motion was approved, 7-1.

Notice is hereby given that on **June 27, 2022**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Matthew Hall moved that for the application of Recreo, LLC, PB2022-17-SPR, the Lebanon Planning Board **APPROVE** a waiver from the following section of the Site Plan Review Regulations:

Section 6.2.E.4 – requiring rows of parking longer than 100 feet to be dispersed every 100 feet or less by a landscaped bed

The motion was seconded by **Cori Hirai**. The vote on the motion was approved, 5-3.

Notice is hereby given that on June 27, 2022, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Matthew Hall moved that for the application of Recreo, LLC, PB2022-17-SPR, the Lebanon Planning Board **APPROVE** a waiver from the following section of the Site Plan Review Regulations:

- Section 6.2.E.1 – requiring landscaping to visually screen parking areas.

The motion was seconded by **Kathie Romano**. The vote on the motion was approved, 5-3.

Notice is hereby given that on June 27, 2022, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Matthew Hall moved that for the application of Recreo, LLC, PB2022-17-SPR, the Lebanon Planning Board **APPROVE** a waiver from the following section of the Site Plan Review Regulations:

- Section 6.10.C.4.a – requiring a landscaped buffer of at least 5 feet along the frontage of any accessory parking area and requiring that the buffer is designed to create an attractive streetscape and shall be provided through an appropriate combination of plantings, planters, benches, fences, public art, pedestrian-scale lighting, and low walls under four feet in height.

The motion was seconded by **Kathie Romano**. The vote on the motion was approved, 7-1.

Notice is hereby given that on **June 27, 2022**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Read by Matthew Hall:

On May 9, 2022, June 13, 2022, and June 27, 2022, at duly noticed meetings of the Lebanon Planning Board, there appeared Jim Wasser and Tim Sidore on behalf of Recreo, LLC, regarding 2 Mascoma Street (Tax Map 91, Lot 254), zoned LD, requesting a Conditional Use Permit per Section 307.3 of the Zoning Ordinance to allow a reduced minimum required rear yard. PB2022-17-SPR

I. FINDINGS OF FACT

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

1. Recreo, LLC proposes to redevelop the property with the construction of two (2) new multi-family buildings containing a total of 152 dwelling units and proposes to construct the southernmost building 7 ft. from the rear lot line.
2. In the LD District, the minimum required rear yard of 10 ft. established per Section 307.3 may be reduced by conditional use permit per Section 302.4.
3. Pursuant to Section 307.3, the applicant requests a Conditional Use Permit to reduce the minimum required rear yard to 7 ft. and has submitted an Application for Conditional Use Permit Support Statement addressing the Section 302.4.D criteria.

II. CONCLUSIONS OF LAW

As a result of the above findings of fact and based on testimony given, application materials presented, and supporting documents submitted, the Planning Board concludes the following with respect to the Enhanced Performance Standards set forth in §302.4.D of the Zoning Ordinance:

1. The site **IS** suitable for the proposal. (§302.4.D.1)
2. The external impacts of the proposed use on abutting properties and the neighborhood **ARE** commensurate with the impacts of adjacent existing uses or other uses permitted in the zoning district. (§302.4.D.2)
3. The proposal **DOES** satisfy the criteria of Section 302.4.D.3:
The proposed layout and design of the site shall not be incompatible with the established character of the neighborhood and shall mitigate any external impacts on abutters, the neighborhood, and nearby public ways and infrastructure. This shall include, but not be limited to, the relationship of the building(s) to the street, the amount, location, and screening of off-street parking, the treatment of yards and setbacks, the buffering of adjacent properties, and provisions for vehicular and pedestrian access to and within the site.
4. The proposal **DOES** satisfy the criteria of Section 302.4.D.4:
The design of any new buildings or structures and the modification of existing buildings or structures on the site shall not be incompatible with the established character of the neighborhood. This shall include, but not be limited to, the scale, height, and massing of the building or structure, the roof line, locations of access, and visual compatibility with the area.
5. The proposal **DOES** satisfy the criteria of Section 302.4.D.5:
The proposed use and layout of the site, including all related development activities, shall to the greatest extent practicable preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties. This shall include, but not be limited to, identified wetlands, floodplains,

significant wildlife habitat and documented wildlife corridors, stonewalls, mature tree lines, identified historic buildings or sites, scenic views, and viewsheds.

III. DECISION

Now therefore be it resolved, the Planning Board, on this **27th day of June, 2022**, hereby **GRANTS** the request of Recreo, LLC for a Conditional Use Permit per Section 307.3, as set forth above and per testimony, plans, and materials submitted, and per the following conditions:

1. The Conditional Use Permit is contingent on approval of the site plan application of Recreo, LLC for 2 Mascoma Street (Tax Map 91, Lots 254), PB2022-23-SPR, currently pending before the Board.

The motion was seconded by Gregorio Amaro. The CUP was approved 5-3.

Notice is hereby given that on **June 27, 2022**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Read by Matthew Hall:

On May 9, 2022 June 13, 2022, and June 27, 2022, at duly noticed meetings of the Lebanon Planning Board, there appeared Jim Wasser and Tim Sidore on behalf of Recreo, LLC, regarding 2 Mascoma Street (Tax Map 91, Lot 254), zoned LD, requesting a Conditional Use Permit per Section 307.8.A of the Zoning Ordinance to allow an increase in the maximum permitted building height. PB2022-17-SPR

1. Recreo, LLC proposes to redevelop the property with the construction of two (2) new multi-family buildings containing a total of 152 dwelling units and proposes a height of 65 ft. for the northernmost building.
2. 55 ft. is the maximum building height in the LD District. However, per Section 307.8.A, the Planning Board may allow building height of up to 65 ft. by Conditional Use Permit per Section 302.4.D.
3. Pursuant to Section 307.8.A, the applicant requests a Conditional Use Permit to allow building #2 to have a height of 65 ft. and has submitted an Application for Conditional Use Permit Support Statement addressing the Section 302.4.D and Section 307.8.A criteria.
4. In order to grant the requested Conditional Use Permit, the Board must find the applicant's proposal satisfies the Enhanced Performance Standards set forth in Section 302.4.D as well as the specific requirements of Section 307.8.A.

II. CONCLUSIONS OF LAW

As a result of the above findings of fact and based on testimony given, application materials presented, and supporting documents submitted, the Planning Board concludes the following with respect to the Enhanced Performance Standards set forth in Section 302.4.D and Section 307.8.A of the Zoning Ordinance:

1. The site **IS** suitable for the proposal. (§302.4.D.1)
2. The external impacts of the proposed use on abutting properties and the neighborhood **ARE** commensurate with the impacts of adjacent existing uses or other uses permitted in the zoning district. (§302.4.D.2)
3. The proposal **DOES** satisfy the criteria of Section 302.4.D.3:
The proposed layout and design of the site shall not be incompatible with the established character of the neighborhood and shall mitigate any external impacts on abutters, the neighborhood, and

nearby public ways and infrastructure. This shall include, but not be limited to, the relationship of the building(s) to the street, the amount, location, and screening of off-street parking, the treatment of yards and setbacks, the buffering of adjacent properties, and provisions for vehicular and pedestrian access to and within the site.

4. The proposal **DOES** satisfy the criteria of Section 302.4.D.4:
The design of any new buildings or structures and the modification of existing buildings or structures on the site shall not be incompatible with the established character of the neighborhood. This shall include, but not be limited to, the scale, height, and massing of the building or structure, the roof line, locations of access, and visual compatibility with the area.
5. The proposal **DOES** satisfy the criteria of Section 302.4.D.5:
The proposed use and layout of the site, including all related development activities, shall to the greatest extent practicable preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties. This shall include, but not be limited to, identified wetlands, floodplains, significant wildlife habitat and documented wildlife corridors, stonewalls, mature tree lines, identified historic buildings or sites, scenic views, and viewsheds.
6. The building front line of the top story **IS** set back at least ten (10) feet from the building front line of the story below when built within thirty feet of the front lot line. (Section 307.8.A.1)
7. The proposal **DOES** provide improvements to streetscapes, public ways, or public spaces that implement recommendations for downtown Lebanon in current plans, policies, or programs adopted by the City of Lebanon including but not limited to the Master Plan, Downtown Visioning Study, and the Capital Improvement Program. (Section 307.8.A.2)
8. The proposal **DOES** include a high-quality design with attention to architectural quality and detail, universal accessibility, and/or environmental sustainability. (Section 307.8.A.3)

III. **DECISION**

Now therefore be it resolved, the Planning Board, on this **27th day of June, 2022**, hereby **GRANTS** the request of Recreo, LLC for a Conditional Use Permit per Section 307.8.A, as set forth above and per testimony, plans, and materials submitted, and per the following conditions:

1. The Conditional Use Permit is contingent on approval of the site plan application of Recreo, LLC for 2 Mascoma Street (Tax Map 91, Lots 254), PB2022-23-SPR, currently pending before the Board.

The motion was seconded by Cori Hirai. The CUP was approved, 5-3.

Notice is hereby given that on **June 27, 2022**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Read by Matthew Hall:

On May 9, 2022, June 13, 2022, and June 27, 2022, at duly noticed meetings of the Lebanon Planning Board, there appeared Jim Wasser and Tim Sidore on behalf of Recreo, LLC, regarding 2 Mascoma Street (Tax Map 91, Lot 254), zoned LD, requesting a Conditional Use Permit per Section 307.9.B of the Zoning Ordinance to allow parking spaces and a vehicular circulation drive to be located within the front yard. PB2022-17-SPR

I. **FINDINGS OF FACT**

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

1. Recreo, LLC proposes to redevelop the property with the construction of two (2) new multi-family buildings containing a total of 152 dwelling units.
2. Section 307.9.B of the Zoning Ordinance prohibits parking areas and vehicular circulation areas within the front yard. However, "[f]or improved surfaces in existence as of January 20, 2021, the Planning Board may waive these requirements by conditional use permit pursuant to Section 302.4 if the Board finds that there is no other location on the lot to provide parking."
3. Pursuant to Section 307.9.B, the applicant requests a Conditional Use Permit to allow a 20 ft. circulation drive and 8 parking spaces in the front yard and has submitted the attached Application for Conditional Use Permit Support Statement addressing the Section 302.4.D and Section 307.9.B criteria.
4. In order to grant the requested Conditional Use Permit, the Board must find the applicant's proposal satisfies the Enhanced Performance Standards set forth in Section 302.4.D as well as the specific requirements of Section 307.9.B.

II. CONCLUSIONS OF LAW

As a result of the above findings of fact and based on testimony given, application materials presented, and supporting documents submitted, the Planning Board concludes the following with respect to the Enhanced Performance Standards set forth in Section 302.4.D and Section 307.9.B of the Zoning Ordinance:

1. The site **IS** suitable for the proposal. (§302.4.D.1)
2. The external impacts of the proposed use on abutting properties and the neighborhood **ARE** commensurate with the impacts of adjacent existing uses or other uses permitted in the zoning district. (§302.4.D.2)
3. The proposal **DOES** satisfy the criteria of Section 302.4.D.3:
The proposed layout and design of the site shall not be incompatible with the established character of the neighborhood and shall mitigate any external impacts on abutters, the neighborhood, and nearby public ways and infrastructure. This shall include, but not be limited to, the relationship of the building(s) to the street, the amount, location, and screening of off-street parking, the treatment of yards and setbacks, the buffering of adjacent properties, and provisions for vehicular and pedestrian access to and within the site.
4. The proposal **DOES** satisfy the criteria of Section 302.4.D.4:
The design of any new buildings or structures and the modification of existing buildings or structures on the site shall not be incompatible with the established character of the neighborhood. This shall include, but not be limited to, the scale, height, and massing of the building or structure, the roof line, locations of access, and visual compatibility with the area.
5. The proposal **DOES** satisfy the criteria of Section 302.4.D.5:
The proposed use and layout of the site, including all related development activities, shall to the greatest extent practicable preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties. This shall include, but not be limited to, identified wetlands, floodplains, significant wildlife habitat and documented wildlife corridors, stonewalls, mature tree lines, identified historic buildings or sites, scenic views, and viewsheds.
6. The improved surface was in existence as of January 20, 2021, and there is no other location on the lot to provide parking. (Section 307.9.B)

III. DECISION

Now therefore be it resolved, the Planning Board, on this **27th day of June, 2022**, hereby **GRANTS** the request of Recreo, LLC for a Conditional Use Permit per Section 307.9.B, as set forth above and per testimony, plans, and materials submitted, and per the following conditions:

1. The Conditional Use Permit is contingent on approval of the site plan application of Recreo, LLC for 2 Mascoma Street (Tax Map 91, Lots 254), PB2022-23-SPR, currently pending before the Board.

The motion was seconded by Cori Hirai. The CUP was approved 7-1.

Notice is hereby given that on July 11, 2022, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

Matthew Hall moved that the Lebanon Planning Board **APPROVE** the application of Recreo, LLC for Site Plan Review to construct two (2) multi-family dwellings containing a total of 152 units together with parking, landscaping, utilities, and other associated site improvements at 2 Mascoma Street (Tax Map 91, Lots 254), zoned LD, PB2022-17-SPR, as shown on a plan set titled "Village Market Redevelopment," dated March 14, 2022, revised April 22, 2022, prepared by Studio Nexus Architects & Planners, Project No.: 2119 (architectural plans; 37 sheets), including any and all submissions and testimony provided for and during the public hearing, subject to the following conditions:

Conditions to be Satisfied Prior to Application for a Building Permit and Prior to the Start of Any Construction Activities

1. The Boundary Line Adjustment plat approved by the Planning Board on April 11, 2022 (PB2022-16-BLA) shall be recorded pursuant to and in conformance with the Notice of Action.
2. The applicant shall address comments 1-3 in the letter dated April 29, 2022, from Steve Keach, PE, of Keach-Nordstrom Associates, Inc., to the satisfaction of the City Engineer.
3. The applicant shall address comments 2-4 in the memo dated May 9, 2022, from Duane Egner, Lebanon Fire Inspection, to the satisfaction of the Fire Department.
4. The applicant shall make the following revisions to the plan set to the satisfaction of the Planning and Development Department and the City Engineer:
 - a) Any changes made pursuant to Condition of Approval #2 and #3.
 - b) Identify the name of the county on the cover sheet.
 - c) Update zoning chart as follows:
 - i. Correct the number of proposed dwelling units to 152;
 - ii. Identify the building to be demolished as an existing use;
 - iii. Identify impervious coverage both in square feet and as a percentage (Section 5.1.E.10);
 - iv. For proposed lot area, include reference the approved boundary line adjustment plat;
 - v. For proposed parking, refer to requested Conditional Use Permit to allow off-lot parking;
 - vi. Identify 7 ft. proposed rear setback and refer to requested Conditional Use Permit;
 - vii. Indicate the parcel is subject to the NHDES Shoreland Water Quality Protection jurisdiction; and
 - viii. Refer to the requested Conditional Use Permit for the proposed height of building #2.
 - d) Provide specifications for all site signage.

- e) Identify location of protected shoreland buffer (pursuant to the NH SWQPA).
- f) Identify handicap accessible parking for building #1 and an accessible route.
- g) Amend the cover sheet to provide description of plan revisions (5.1.E.4.d).
- h) Amend the phasing plan to ensure that drainage infrastructure of sufficient capacity is in place to accommodate additional flows and to provide required treatment from all added impervious areas to be constructed as part of Phase 1.

The applicant shall provide the Planning and Development Department with one (1) full size copy of the revised plan set, and a digital copy of the revised plan set saved in a PDF-A format for archival purposes.

5. The applicant shall schedule and hold a pre-building permit application meeting with the Planning and Development Department, City Building Inspectors, City Engineer/Department of Public Works, and Fire Department, in order to help streamline the building permit review process and to review applicable code requirements.

6. 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.

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

8. The applicant shall prepare a plan to the satisfaction of the Fire Department and the City Manager to re-pave and re-stripe the existing paved area at 12 South Park Street to the rear of the Fire Station and to provide pavement markings for the proposed access way to Church Street.

9. The applicant shall satisfy all conditions of the off-lot parking Conditional Use Permit approved by the Planning Board on June 27, 2022 (PB2022-22-CUP).

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

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

11. The development shall be subject to City of Lebanon Impact Fees, pursuant to Section 213 of the Zoning Ordinance. The Impact Fee shall be calculated at the time of Building Permit issuance based on the Impact Fee Schedule adopted on October 12, 2021. In accordance with RSA 674:39, the approved site plan shall be exempt from any future changes in impact fees and methodology for five years from the date of approval; however, any building permits which are issued after the end of that five-year period shall be fully subject to whatever impact fees and methodology are in effect at the time of building permit issuance.

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

13. 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:

- a. NHDES Shoreland Permit

- b. NHDES Alteration of Terrain Permit
- c. NHDES Sewer Connection Permit, if necessary

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

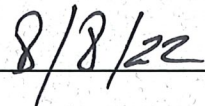
- 14. The impact fee calculated pursuant to Condition of Approval #10 shall be paid.
- 15. Third-party engineer or design engineer inspection reports and as-built drawings provided by the applicants (PDF format and CAD .dwg format, using the NH State Plane Coordinate System), including tie sheets, shall be reviewed and approved by the City Engineer prior to acceptance of any utility improvements by the City.
- 16. 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.
- 17. The existing paved area at 12 South Park Street to the rear of the Fire Station shall be paved, striped, and marked pursuant to the plan prepared in accordance with Condition of Approval #8.

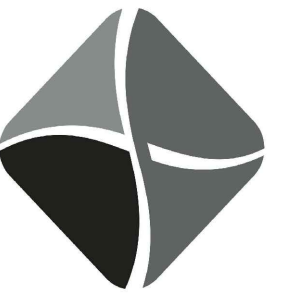
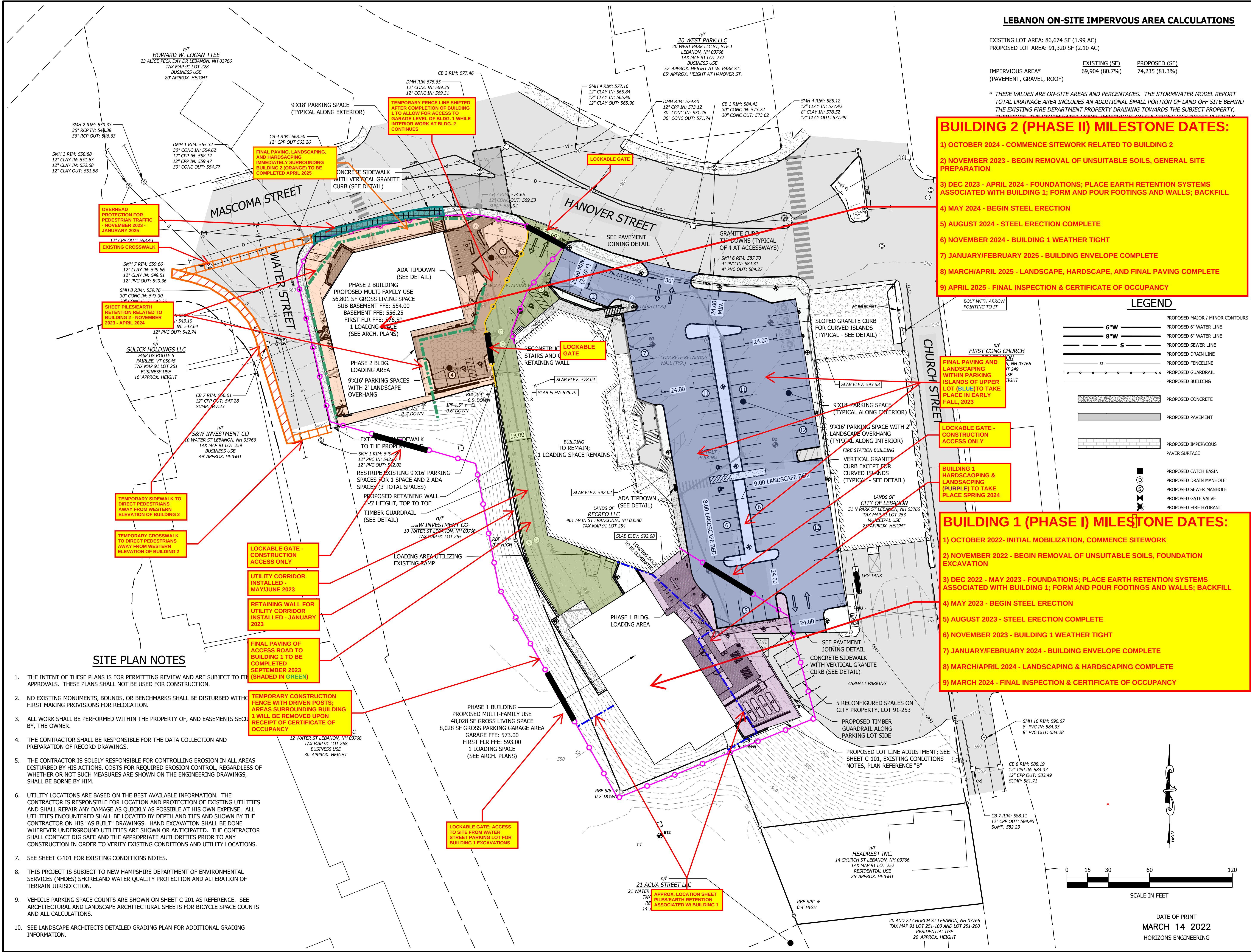
General Conditions

- 18. Pursuant to Section 4.9 of the Site Plan Review Regulation, the project may be constructed in phases per the phasing plan amended per Condition of Approval #4.g.
- 19. 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.
- 20. Edge-of-disturbance fencing shall be installed and maintained before and during any site work, to be verified by the City Engineer or City's third-party inspector on site.
- 21. The applicant shall implement and maintain NHDES Site Specific Best Management Practices before, during, and after construction.
- 22. The applicant shall obtain an Excavation Permit, a Driveway Permit, and a Stormwater Permit from the Department of Public Works for any site work in the public right-of-way prior to undertaking any work in the right-of-way and prior to constructing any stormwater connections to the municipal system.
- 23. The property owner is responsible for the maintenance and operation of the stormwater management system in accordance with the O&M plan, and such responsibility shall run with the land. (Section 6.6.H.2.b of the Site Plan Review Regulations).
- 24. The applicant shall be responsible for maintaining all improvements constructed within the public right-of-way.

The motion was seconded by Kathie Romano. The vote on the motion was approved, 6-3.

THE CITY OF LEBANON

By:  DATE: 
Planning Board Chair



**STUDIO
NEXUS**

ARCHITECTS + PLANNERS

PO Box 275, White River Junction, VT 05001
802 275 5110 | studionexusarch.com

horizons
Engineering

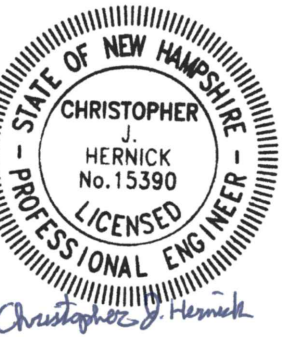
Civil and Structural Engineering

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RECRO LLC

Issued For:
SITE PLAN REVIEW

**PRELIMINARY
NOT FOR
CONSTRUCTION**

WILL DAVIS' ELECTRONIC OR DIGITAL SEAL OR SIGNATURE IS EFFECTIVE ONLY AS TO THAT VERSION OF THIS DOCUMENT AS ORIGINALLY PUBLISHED BY HORIZONS ENGINEERING, INC. WILL DAVIS IS NOT RESPONSIBLE FOR ANY MODIFICATION, CORRUPTION OR UNAUTHORIZED USE OF SUCH DOCUMENT. TO VERIFY THE VALIDITY OR APPLICABILITY OF THE SEAL OR SIGNATURE, CONTACT WILL DAVIS.

Issue Date: March 14, 2022

Revisions		
No.	Description	Date

**PHASING &
SCHEDULING
SITE PLAN**

Project No.: 2119

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APPLICATION FOR

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

☒ OTHER Site Plan Permit Extension

PROPERTY OWNER (APPLICANT):

NAME: Recreo, LLC (Tim Sidore) TEL.#: 603-322-3260

MAILING ADDRESS: 77 Bank Street, Lebanon, NH 03766

E-MAIL ADDRESS: tim@ledgeworks.com

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Studio Nexus Architects, P.C. (Jim Wasser) TEL.#: 802-275-5110

MAILING ADDRESS: P.O. Box 275, White River Junction, VT 05001

E-MAIL ADDRESS: jimw@studionexusarch.com

PROJECT LOCATION:

TAX MAP #: 91 LOT#: 254 PLOT #: ZONE: LD

STREET ADDRESS OF PROJECT: 2 Mascoma Street (former Village Market)

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

SCOPE OF PROJECT:

Permit extension for the construction of two apartment buildings containing 152 units of housing, including a 17-car parking garage. Site improvement consist of parking for approximately 75 cars, entry plazas and landscaping. The existing 27,000 SF market building will be refurbished for a grocery store tenant and additional tenants as identified.. The cleaners will remain.

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: Restaurant, dry cleaners, retail--grocery and others

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: Tim Sidore DATE: 14 MAY 2024

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

PROPERTY OWNER: Tim Sidore DATE: 14 MAY 2024

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - \$ AMOUNT	DATE PAID	VOUCHER #
5/14/2024	91-254	PB2024-25-EXT			

2022-17-SPR

2 Mascoma Street Redevelopment Project

Extension Request Narrative

5/13/2024

In determining whether to grant such an extension, the Board shall consider the totality of the circumstances, including the extent and complexity of the conditions precedent, the extent of the progress made by the Applicant toward satisfying the conditions-precedent and/or starting construction, and whether the need for more time is attributable to unusual circumstances beyond the control of the Applicant, rather than to the Applicant's neglect or failure to proceed with reasonable promptness.

In brief, a rapid and abnormal increase in interest rates, construction costs and overall inflation resulting from the backlog in construction and large infusions of Federal money to stabilize the wider post COVID economy. Additionally, we have diligently sought a grocery store to fill the existing grocery space. The Downtown area is missing this fundamental service and it is inextricably linked to the redevelopment of the desperately needed housing. Even at higher rates, the restoration of the grocery makes the rear building feasible and desirable and, in turn, bolsters the likelihood of finalizing a grocery store contract. It is a true chicken and egg scenario.

We are also working to make this campus a model for sustainability and the EPA's C Pace program is critical for the sustainability of both the new and existing buildings. The State of NH renewed its commitment to this program late last summer, but the administration of the program is not yet fully established. We have requested that Lebanon administer this program at no capital risk to the City. Refrigeration is covered under this program, which is by far the biggest capital hurdle for a grocery. By waiting for the program to be available, our solar, geothermal, modernized lighting, HVAC and charging stations are all covered by C Pace and can be provided by adding the first building and grocery in tandem, followed by the 2nd new apartment building. We achieve the economies of scale to maximize the efficacy of the program.

Finally this property does not work in a vacuum, as our planning board well understands. Having very quickly learned the economics of the grocery business we came to realize that the revival and enhancement of the immediate neighborhood needs to be underway or complete. In addition to the two new buildings on the site, the redevelopment of nearby units at the NAPA building, Kleen Laundry complex and up to 50 units we intended to apply to add in the Upper Floors of 2/20 West Park in early August of '22 all add to the viability of the grocery. We have stayed in touch with the owners of those other properties. Unfortunately the owner 2/20 did not close with us on 8/1/22 as contracted. We have been litigating for just under 2 years and expect a decision by late summer. We cannot guarantee the outcome, but we've had an injunction for two years and hope to settle or prevail. Had those closed, we'd have proceeded to renovate immediately. We had exciting new businesses ready to fill the commercial space in the bank building. The mix of residential and commercial in the right sequence is the key to reviving historic downtowns. As you can surmise from the information provided herein, redevelopment is much more complex than development. Real estate development is defined as the conversion of raw land into real estate by adding buildings or other improvements. May 5th marked the 40th year of our investment Downtown Lebanon. In the last 10 years we have repurposed a two schools, a gas station and a dry cleaner into various new uses compatible with Lebanon's present and future

needs. We are proud to not have used any raw land and to not have demolished any existing structures. Redevelopment is a marathon, not sprint. We are a patient, very long term investor.

In the interim, the Boundary Line Adjustment plat has been recorded; we have applied for and been granted a Shoreland Impact Permit and an Alteration of Terrain Permit from the State of New Hampshire Department of Environmental Services (see attached).

Mike Davidson
Tim Sidore
Jim Wasser



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



January 25, 2023

Mr. Tim Sidore
RECREEO LLC
77 Bank Street
Lebanon, NH 03766
(sent via email to: tim@ledgeworks.com)

Re: Village Market Redevelopment
2 Mascoma Street - Lebanon
Tax Map 91 Lot 254

Permit: AoT-2288

Dear Applicant:

Based upon the plans and application, approved on January 25, 2023, we are hereby issuing RSA 485-A:17 Alteration of Terrain Permit AoT-2288. As part of the processing of this application, DES waived specific requirements of Rule Env-Wq 1507.04 requiring the applicant to capture and infiltrate the groundwater recharge volume (GRV) in accordance with Env-Wq 1508.16. Granting this waiver will not have an adverse impact on the environment, public health, public safety, or abutting properties, and granting the request is consistent with the intent and purpose of the rules waived. Additional documentation relative to the waiver is contained within the file. The permit is subject to the following conditions:

PROJECT SPECIFIC CONDITIONS:

1. The plans titled *Village Market Redevelopment* by Horizons Engineering, Inc., last revision date December 20, 2022, are a part of this approval. The project must be constructed as shown on the approved plans.
2. **This permit expires January 25, 2028.** No earth moving activities shall occur on the project after this expiration date unless the permit has been extended by the Department. If requesting an extension, the request must be received by the department before the permit expires. The Amendment Request form is available at: <https://www.des.nh.gov/land/land-development>.
3. In accordance with Env-Wq 1503.21 (c)(1), a written notice signed by the permit holder and a qualified engineer shall be submitted to DES stating that the project was completed in accordance with the approved plans and specifications. If deviations were made, the permit holder shall review the requirements in Env-Wq 1503.21(c)(2).
4. Pursuant to Env-Wq 1504.18, the Permittee shall comply with wildlife protection notes that are incorporated into the project plans, and, if applicable, all recommendations by the New Hampshire Fish and Game Department related to state or federally listed threatened or endangered species that are incorporated into the project plans.
5. This project includes an underground detention and filtration system. **A letter signed by a qualified engineer must be provided to DES** stating that the individual observed any underground detention, infiltration, or filtering systems prior to backfilling, and whether, in his or her professional opinion, the system(s) conform to the approved plans and specifications. Representative photographs of the system prior to being backfilled must be submitted with the letter.

www.des.nh.gov
29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

GENERAL CONDITIONS:

1. Activities shall not cause or contribute to any violations of the surface water quality standards established in Administrative Rule Env-Wq 1700.
2. You must submit revised plans for permit amendment prior to any changes in construction details or sequences. You must notify the Department in writing within ten days of a change in ownership.
3. You must notify the Department in writing prior to the start of construction and upon completion of construction. Forms can be submitted electronically at: <https://www.des.nh.gov/land/land-development>. Paper forms are available at that same web page.
4. **All stormwater practices shall be inspected and maintained in accordance with Env-Wq 1507.07 and the project Inspection and Maintenance (I&M) Manual.** All record keeping required by the I&M Manual shall be maintained by the identified responsible party and be made available to the department upon request. Photographs of the site and BMPs must accompany the I&M submittals.
5. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits that may be required (e.g., from US EPA, US Army Corps of Engineers, etc.). Projects disturbing over 1 acre may require a federal stormwater permit from EPA. Information regarding this permitting process can be obtained at: <https://www.epa.gov/npdes/2022-construction-general-permit-cgp>.
6. If applicable, no activity shall occur in wetland areas until a Wetlands Permit is obtained from the Department. Issuance of this permit does not obligate the Department to approve a Wetlands Permit for this project.
7. This project has been screened for potential impact to known occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have not been surveyed in detail, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.

Sincerely,



Michael Schlosser, PE
Alteration of Terrain Bureau

ec: Lebanon Planning Board (planning@lebanonnh.gov)
Will Davis, Horizons Engineering, Inc.
Mascoma River LAC (MascomaWatershed@gmail.com)
Tracie Sales, NHDES



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



SHORELAND IMPACT PERMIT 2022-02187

NOTE CONDITIONS

PERMITTEE: RECREO LLC, C/O LEDGEWORKS INC
77 BANK ST
LEBANON NH 03766

PROJECT LOCATION: 2 MASCOMA ST, LEBANON
TAX MAP #91, LOT #254

WATERBODY: MASCOMA RIVER

APPROVAL DATE: OCTOBER 13, 2022

EXPIRATION DATE: OCTOBER 13, 2027

Shoreland Permit Application 2022-02187 has been found to meet or exceed the requirements of RSA 483-B as required per RSA 483-B:6, II. The New Hampshire Department of Environmental Services (NHDES) hereby issues this Shoreland Impact Permit with conditions pursuant to RSA 483-B:6, II.

PERMIT DESCRIPTION:

Impact 10,953 square feet of protected shoreland in order to construct a multi-family apartment primary structure, parking garage, landscaping, and stormwater management.

Impervious Surface Percentage Approved: 91.9%

Natural Woodland Area Required per RSA 483-B:9, V(b): 0 Square Feet

Waiver Granted: The requirement to restore the Waterfront Buffer vegetation per RSA 483-B:9, V, (g), (3) where construction will result in more than 30% impervious surface coverage is waived. The applicant is not the owner of the waterfront buffer.

THE FOLLOWING PROJECT-SPECIFIC CONDITIONS HAVE BEEN APPLIED TO THE PERMIT PURSUANT TO ENV-WQ 1406.15(c):

1. All work shall be in accordance with plans by Horizons Engineering dated July 6, 2022 and revised on September 7 and 8, 2022 as received by the New Hampshire Department of Environmental Services (NHDES) on September 16, 2022 pursuant to Env-Wq 1406.15(f).
2. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V(d) Erosion and Siltation, (1).
3. The proposed stormwater management chambers system shall be installed and maintained to effectively absorb and infiltrate stormwater in order to ensure compliance with RSA 483-B:9, V(g).
4. Photographs documenting the construction of the proposed stormwater management system shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure as required per RSA 483-B:6, II and Rule Env-Wq 1406.15(c) in order to ensure compliance with RSA 483-B:9, V(g).
5. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

- Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction as required pursuant to RSA 483-B:6, I(b).
6. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

THE FOLLOWING STANDARD PROJECT CONDITIONS SHALL BE MET PURSUANT TO ENV-WQ 1406.20:

1. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
2. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
3. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700, and the requirements in Env-Wq 1404.01(a) and(b).
4. Any fill used shall be clean sand, gravel, rock, or other suitable material.
5. For any project where mechanized equipment will be used, orange construction fence shall be installed prior to the start of work at the limits of the temporary impact area as shown on the approved plans; be maintained throughout the project; and remain in place until all mechanized equipment has been removed from the site.

ANY INDIVIDUAL CONDUCTING WORK UNDER THIS PERMIT IS ADVISED OF THE FOLLOWING:

1. During construction, a copy of this permit should be posted on site in a prominent location visible to inspecting personnel.
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
3. Pursuant to Env-Wq 1406.21, transfer of this permit to a new owner requires notification to, and approval of, NHDES.
4. This project has been screened for potential impact to known occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or only cursory surveys have been performed, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.

APPROVED:



Rosemary E. Aures
Shoreland/Shoreline Specialist, Shoreland Program
Wetlands Bureau, Land Resources Management
Water Division

THIS PERMIT IS NOT VALID UNTIL SIGNED BY THE PARTIES BELOW (Env-Wq 1406.21(c))


PERMITTEE SIGNATURE (required)

PRINCIPAL CONTRACTOR SIGNATURE (required, if any)

CERTIFIED NOTIFICATION LIST

Notice shall be sent by certified mail to the Owner; Applicant, if different from Owner; Abutters; Holders of conservation, preservation, or agricultural preservation restrictions (as defined under RSA 477:45) on the subject property; the holders of easements, rights-of-way, and other restrictions; and every engineer, architect, land surveyor, or soil or wetlands scientist whose seal appears on any plan submitted to the Board; and any other persons required by RSA 676:4, I(d). The names and mailing addresses shall be furnished by the Applicant.

672:3 Abutter. – "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A:1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board.

Source. 1983, 447:1. 1986, 33:2. 2002, 216:1, eff. July 15, 2002.

PLEASE PROVIDE NAMES & MAILING ADDRESSES FOR ALL PERSONS LISTED ABOVE.

Map & Lot Number: 91-254	Map & Lot Number:
Property Owner: Recreo, LLC 77 Bank Street Lebanon, NH 03766	Applicant, Co-Applicant, Agent, or Lessee: Studio Nexus Architects & Planners, LLC P.O. Box 275 White River Junction, VT 05001
Map & Lot Number: 91-228	Map & Lot Number: 91-260
Benton Hill, LLC 3 Spencer Road Hanover, NH 03755	Gulick Holdings, LLC 2468 US Route 5S Fairlee, VT 05045
Map & Lot Number: 91-259, 91-255	Map & Lot Number: 91-232
Water Street Mill, LLC 10 Water Street, Suite 190 Lebanon, NH 03766	20 West Park, LLC 20 West Park Street, Suite 1 Lebanon, NH 03766

Map & Lot Number: 91-230, 91-253	Map & Lot Number: Civil Engineer
City of Lebanon 51 N. Park Street Lebanon, NH 03766	City no need to send Horizons Engineering 176 Newport Road, Suite 8 New London, NH 03257
Map & Lot Number: Landscape Architect	Map & Lot Number: Geo-technical Engineer
SE Group 131 Church Street, Suite 200 Burlington, VT 05401	S.W. Cole Engineering 10 Center Road Somersworth, NH 03878
Map & Lot Number:	Map & Lot Number:
Map & Lot Number: Surveyor	Map & Lot Number:
DiBernardo Associates, LLC P.O. Box 52 Bellows Falls, VT 05101	
Map & Lot Number:	Map & Lot Number:
Map & Lot Number:	Map & Lot Number:
Map & Lot Number:	Map & Lot Number:

(Revised 2/8/2024)

SITE PLAN REVIEW		
TOTAL DUE AT TIME OF FILING		\$
**Engineering Review fees will also be required. See note on page 2.		

SITE PLAN REVIEW AMENDMENT (WITH STRUCTURAL CHANGES)		
		TOTALS
FILING FEE	\$250.00	\$250.00
SQUARE FOOTAGE	\$75.00 per 1,000 sq. ft. (gross floor area)	
ADVERTISING FEE	\$100.00	\$100.00
NOTIFICATION FEE (see note below)	\$5.00 + Current USPS rate per certified notice (see below) X _____ notices	\$5.00 \$ _____ (abutter certified)
TOTAL DUE AT TIME OF FILING		\$
**Engineering Review fees may also be required. See note below.		

OTHER		
-SITE PLAN REVIEW AMENDMENT (WITH NO STRUCTURAL CHANGES)		
-EXTENSION REQUESTS		
-CONDITIONAL USE PERMITS		
		TOTALS
FILING FEE	\$250.00	\$250.00
ADVERTISING FEE	\$100.00	\$100.00
NOTIFICATION FEE (see note below)	\$5.00 + Current USPS rate per certified notice (see below) X _____ 10 _____ notices	\$5.00 \$ 50.40 (abutter certified)
TOTAL DUE AT TIME OF FILING		\$ 405.40
**Engineering Review fees may also be required. See note below.		

MINOR SITE PLAN REVIEW		
		TOTALS
FILING FEE	\$150.00	\$150.00
NOTIFICATION FEE (see note below)	Current USPS rate per certified notice (see below) X _____ notices	\$ _____ (abutter certified)
TOTAL DUE		\$

ENGINEERING REVIEW FEES:

After an application to the Planning Board is submitted and the filing fees identified above have been paid, the Planning & Development Department will determine the scope of required engineering review and will obtain an estimated cost from the reviewing engineer. A cost estimate of the review fees will usually be generated within two (2) – three (3) business days. Once conveyed to the applicant, the estimated review fees shall be paid by the applicant within five (5) business days, and an escrow account shall be established by the Planning & Development Department. No plans will be reviewed unless and until the review fee estimate is paid, if required.

Please note that escrow fees are only an estimate of what services will cost and actual costs of review may be less or more than the amount initially estimated. Any unused portion of the escrow will be returned to the applicant at the end of the approval process if such a surplus remains. Additionally, in the event the escrow amount does not cover the full cost of services the Applicant shall pay any remaining costs as a condition of approval. See also Section 4.7 of the Site Plan Review Regulations and Section 7.7 of the Subdivision Regulations.

NOTIFICATION FEE: CURRENT FEE as of January 2024 is \$5.04 per certified notice

THE CERTIFIED NOTIFICATION FEE IN ALL SECTIONS ABOVE INCLUDES THE FOLLOWING: ALL ABUTTERS, THE APPLICANT, PROPERTY OWNER, HOLDER OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTION(S); AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR OR SOIL SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD AND ANY OTHER PERSONS REQUIRED BY RSA 676:4, I(d).



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

PLANNING BOARD

July 8, 2024 Meeting

Staff Memorandum – PB2024-26-SPR

APPLICATION INFORMATION

Agenda Item: 3.C

Application ID: PB2024-26-SPR

Application Type:

Site Plan Review to replace the existing attached garage with a new two-story +/- 796 sq. ft. addition for use as a garage and an office, together with a new 138 sq. ft. covered open entry porch

Property Location & Tax Map:

38 Bank Street (Tax Map 92, Lot 116)

Applicant/Property Owner:

Women's Information Service (WISE) of the Upper Valley Inc.

Zoning District: Residential Office (R-O)

Future Land Use Map: Mixed Use

Property Size (per City Assessor):

+/- .37 acres (16,117 sq. ft.) *(the property is conforming to the minimum 10,000 sq. ft. lot area required for lots in the R-O District per §311.3 of the ZO)*

Existing Improvements and Use:

5,855 sq. ft. (gross) two (2)-story building constructed in 1860 *(per City Assessing records)*, originally a residence and converted to an office use in 2007

Proposed Improvements and Use:

Removal and replacement of rear most portion of building; no change in use

Overlay Districts: None

Staff Attachments:

- 1/8/07 Notice of Action for PB2006-57 (1 page)
- Staff Memo for PB2006-57 (5 pages)
- Approved Plan Set, PB2006-57, revised per NOA (4 sheets) *(see last 4 pages of the agenda packet)*

LEGAL NOTICE

Women's Information Service (WISE) of the Upper Valley Inc, 38 Bank Street (Tax Map 92, Lot 116), zoned R-O: Request for site plan review to replace the existing attached garage with a new two-story +/- 796 sq. ft. addition for use as a garage and an office, together with a new 138 sq. ft. covered open entry porch. PB2024-26-SPR

PLANS AND APPLICATION MATERIALS

- ▶ Application form (2 pages)
- ▶ Letter dated May 27, 2024, from Frank Barret, AIA, of Barrett Architecture (project description; 2 pgs)
- ▶ Application for Waivers dated May 8, 2024 (3 pages)
- ▶ Site Plan Review Regulations Technical Checklist dated January 30, 2024 (10 pages)
- ▶ Zoning Board of Adjustment Notice of Action dated April 1, 2024, ZB2024-06-VAR (granting Variance from the minimum parking requirements; 2 pages)
- ▶ Certified Notification List (2 pages)
- ▶ Fee Schedule (2 pages)
- ▶ Mark-up of approved site plan showing location of proposed building placement (1 page)
- ▶ Floor plans, architectural elevations, and sections for existing building, dated July 19, 2023, prepared by Barrett Architecture (5 pages)
- ▶ Floor plans for proposed renovations, dated October 11, 2023, prepared by Barrett Architecture (2 pages)
- ▶ Architectural elevations for proposed renovations, dated May 24, 2024, prepared by Barrett Architecture (2 pages)
- ▶ Site Plan sheet titled, "New Addition to WISE, Inc.," dated May 6, 2024, prepared by Barrett Architecture

COMPLETENESS REVIEW

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

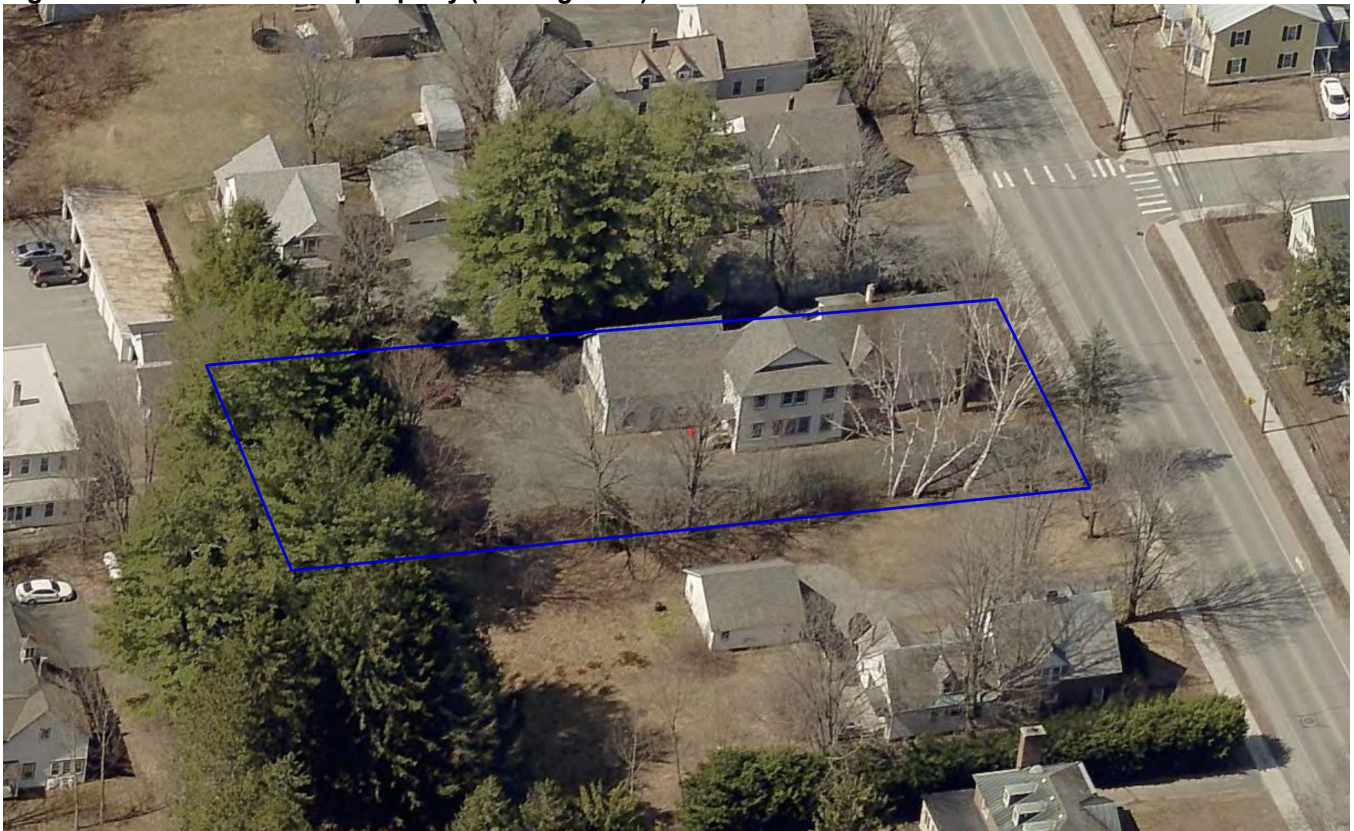
APPLICATION OVERVIEW

On January 8, 2007, the Planning Board granted site approval to convert the existing building from a residence to an office use, together with associated site improvements (PB2006-57). A copy of the Notice of Action and approved plan set are attached. The purpose of the conversion was to provide office space for Women's Information Service (WISE) of the Upper Valley Inc. Attached for reference and for additional background information is the staff memo prepared for PB2006-57 (dated December 26, 2006).

At this time, WISE proposes to remove the rearmost section of the building, the first floor of which is currently utilized as a garage and the second floor of which is unfinished space (to staff's understanding). The removed structure will be rebuilt within the same footprint and will have the same floor area (+/-796 sq. ft. per floor). The first floor of the reconstructed portion of the building will continue to be utilized as a two (2)-bay garage, while the second floor will be utilized as office space.

As shown on the attached Site Plan sheet titled, "New Addition to WISE, Inc.," dated May 6, 2024, prepared by Barrett Architecture, the applicant also proposes to construct a new 138 sq. ft. covered open entry porch. The applicant does not propose any other site improvements or changes other than the installation of a bicycle rack, as depicted on the proposed Site Plan.

Figure 1. Bird's eye view of property (looking west).



STAFF COMMENTS**PLANNING****I. SITE PLAN REVIEW REGULATIONS:****Jurisdiction**

The proposal is to remove and reconstruct a 1,592 sq. ft. portion of the building. The proposed reconstruction of this portion of the building (which will be of the same size when reconstructed, i.e. a +/- 796 sq. ft. first floor and a +/- 796 sq. ft. second floor for a total of 1,592 sq. ft.) is equal to greater than 25% of the existing floor area of the building. Consequently, the project does not qualify for Minor Site Plan Review per Section 3.1.C and instead requires Planning Board Site Plan Review per Section 3.1.D and compliance with the Article V submission requirements.

Waiver Requests

Pursuant to Section 7.1 ("Waiver of Regulations"), the applicant has requested waivers from a substantial number of Article V submission requirements. See attached Application for Waivers. 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.

Given that no site improvements are proposed, staff has no concerns with the submission requirement waiver requests provided that, if the Board approves the application, a condition is included requiring the applicant to verify that the site is compliant with the approved site plan set (PB2006-57). However, the Site Plan Review Regulations have been updated and amended since 2007, including for example the bicycle storage requirements of Section 6.5.I. Staff recommends that the applicant also submit a waiver request from the design requirements of Article VI to account for any non-conformities that may now exist as a result of the changes that have been made to Article VI since 2007. Staff would have no concerns with such a waiver request provided that, if the Board approves the application, a condition is included requiring the applicant to verify that the site is compliant with the approved site plan set (PB2006-57).

SECTION 5 – SUBMISSION REQUIREMENTS

5.1 (Drawings and Other Submittals): The applicant has provided the attached materials pursuant to the requirements of Section 5.1 of the Site Plan Review Regulations. As noted above, the applicant requests waivers from a significant number of submission requirements.

SECTION 6 – DESIGN AND CONSTRUCTION REQUIREMENTS

6.1 (General Requirements): As noted above, the applicant is not proposing any site changes or improvements (other than the installation of a bicycle rack), and a waiver request should be submitted from the Article VI design requirements to account for any non-conformities that may have been created since Site Plan approval was originally obtained in 2007. However, the Board should also consider

whether any site improvements or changes should be required, in light of Section 6.1.D of which provides as follows:

- D. A modification or set of modifications to an existing developed property that requires site plan review under these regulations may require the applicant to propose commensurate modifications that bring the property into greater compliance with the Site Plan Review Regulations.

6.2 (Landscaping Standards): The applicant has requested a waiver from the landscaping plan submission requirement. Staff recommends that the Planning Board require the applicant to verify that the site is in compliance with the landscaping plan from the plan set approved on 1/8/07 (PB-2006-57) as a conditional of approval to be satisfied prior to the issuance of a Certificate of Occupancy.

6.4 (Fees and Assessments in Effect at time of Connection): The creation of new non-residential square footage within the second floor of the reconstructed structure will be subject to the City's Impact Fee Ordinance and fee schedule adopted by the Board on May 20, 2024.

6.7 (Lighting): The applicant has requested a waiver from the lighting plan submission requirement. Staff recommends that the Planning Board require the applicant to verify that the site is in compliance with the lighting plan from the plan set approved on 1/8/07 (PB-2006-57) as a conditional of approval to be satisfied prior to the issuance of a Certificate of Occupancy.

6.8 (Off-Site Improvements): The applicant does not propose any off-site improvements.

6.10 (Additional Regulations for the Lebanon Downtown District): *Not applicable.*

II. ZONING ORDINANCE:

Use: Office conversion is a permitted use in the Residential Office (R-O) District per Section 311.2 of the Zoning Ordinance.

Special Design Standards: The proposed reconstruction of the rearmost portion of the building is subject to the Special Design Standards set forth in Section 601.1 of the Zoning Ordinance:

601.1 Architecture.

Remodeling for conversions shall not alter the appearance of the exterior of the structure in a manner that is not compatible with the architectural character of the existing **building**; of abutting properties; or of the neighborhood. New construction shall be compatible with the architectural character or the abutting properties and neighborhoods.

For the purpose of this subsection only, the term "compatible" shall mean having architectural style or design; scale; exterior finish and treatment; site work; and landscaping consistent with that which exists in the neighborhood, on abutting properties and on the structure being remodeled, as applicable.

Parking: The property has 18 parking spaces (16 surface, 2 garage). Ordinarily the conversion of the second floor space from unfinished/unutilized to office would require 3 additional parking spaces for a

total of 21. However, the Zoning Board of Adjustment approved a Variance on April 1, 2024 to permit the additional office space without having to provide the additional required parking spaces (ZB2024-06-VAR). See attached Notice of Action, provided by applicant as part of their site plan application.

CITY ASSESSOR

No comment at this time.

BUILDING INSPECTOR

No comment at this time.

ENGINEERING/PUBLIC WORKS

No comment at this time.

FIRE DEPARTMENT

If the proposed structure exceeds 30 feet above grade plane, the entrance drive may need to be widened to accommodate aerial fire apparatus.

POLICE DEPARTMENT

No comment at this time.

STAFF RECOMMENDATIONS

If the Planning Board moves to approve the applicant's request, then based on the information reviewed by City staff, the Planning and Development Department recommends that the Planning Board approve the application with the conditions noted below:

General Conditions

1. The Notice of Action dated January 8, 2007 for PB2006-57 and the site plan set referenced therein shall remain in force and in effect except as may be modified per the conditions of approval below, and except that the building footprint and proposed bicycle rack shall match those features as they are depicted on the Site Plan sheet titled, "New Addition to WISE, Inc.," dated May 6, 2024, prepared by Barrett Architecture.
2. It shall be the applicant's responsibility to be familiar with and aware of these conditions of approval, and it shall be the applicant's responsibility to satisfy these conditions of approval and to satisfy them within the relevant timeframes outlined below.
3. The development is subject to the Site Plan Review Regulations adopted May 13, 1991, last revised January 23, 2023, and the Zoning Ordinance adopted January 16, 2013, last amended February 7, 2024, which are the regulations in effect at the time the application was submitted.
4. A building permit must be applied for *and issued* within two (2) years of the date of this approval (4.10.A), subject to an extension if applied for by the applicant and if approved by the Planning Board per Section 4.10.B.
5. "Active and substantial development," as defined in Section 8.4.A.1 of the Site Plan Review Regulations, shall be achieved within two (2) years of the date of this approval (8.4.A.2), subject to an extension if applied for by the applicant and if approved by the Planning Board per Section 8.4.A.3. If active and substantial development is not achieved within two (2) years of the date of

the Planning Board's approval, the development shall be subject to any changes in the City's land use regulations.

6. "Substantial completion," as defined in Section 8.4.B.1 of the Site Plan Review Regulations, shall be achieved within five (5) years of the date of this approval. If substantial completion is not achieved within five (5) years of the date of the Planning Board's approval, the development shall be subject to any changes in the City's land use regulations.

Conditions to be Satisfied Prior to Application for a Building Permit and Prior to the Start of Any Construction Activities

7. 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.

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

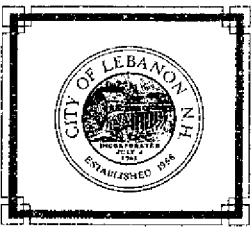
8. Pursuant to Section 213 of the Zoning Ordinance and the Impact Fee Schedule adopted on May 20, 2024, an impact fee in the amount of \$1,162.16 (+/-796 sq. ft. x \$1.49 per square foot of gross floor area) shall be assessed at the time of Building Permit issuance relative to the conversion of the second floor space to office use. 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.

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

11. The applicant shall verify that the property is in compliance with the Planning Board's January 8, 2007 Notice of Action and approved site plan for PB2006-57, and that the bicycle rack depicted on the Site Plan sheet titled, "New Addition to WISE, Inc.," dated May 6, 2024, has been installed.
12. The impact fee calculated pursuant to Condition of Approval #9 shall be paid.

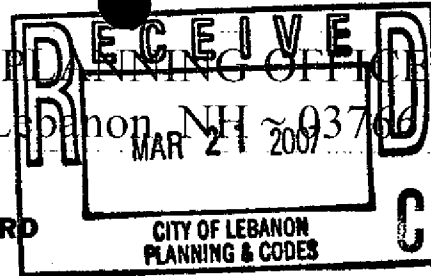
Attachments

cc: Edwards Properties, LLC (via e-mail)
Women's Information Service of the Upper Valley Inc (via e-mail)
File



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

**NOTICE OF ACTION
LEBANON PLANNING BOARD**



COPY

Notice is hereby given that on **JANUARY 8, 2007**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations.

Matt Brown moved that the Lebanon Planning Board finds the application of **WOMEN'S INFORMATION SERVICE OF THE UPPER VALLEY (W.I.S.E.)** for Site Plan Review, #PB2006-57, is complete enough to accept jurisdiction and commence review.

The motion was seconded by Pat Wallace. The vote on the motion was 8 in favor, with 1 abstention.

Matt Brown moved that the Lebanon Planning Board **APPROVE** the application of **WOMEN'S INFORMATION SERVICE OF THE UPPER VALLEY (W.I.S.E.)** for Site Plan Review of a proposed conversion of an existing two-family dwelling to an office building at 38 Bank Street, Tax Map 92, Lot 116, Lebanon, NH, in the R-O zone, #PB2006-57, as shown on plans titled "Site Plan for WISE of the Upper Valley, Inc.," drawn by Pathways Consulting, Inc., dated December 11, 2006, last revised December 26, 2006, Project #11381, including any and all supplemental submissions, and testimony provided during the public hearing, with the following conditions:

1. The applicant shall revise the project plans to depict the concrete apron for the new curb cut extending to the property line before changing to a gravel surface.
2. The applicant shall work with the Lebanon Fire Department to increase the width of the driveway and/or the increase the inside radius dimension of the curb cut to the satisfaction of the Fire Department.
3. The applicant shall provide two sets of revised plans showing the conditions to the Planning Office.
4. The applicant shall provide a digital site plan drawing (Cad .dwg Format) prior to the issuance of a Certificate of Occupancy.
5. The applicant shall reduce the height of the parking lot light to 15 feet.

The motion was seconded by Carl Porter. The vote on the motion was unanimous in favor.

SIGNED: Kenneth Morley
Kenneth Morley, Chair

DATED: 22 Jan 2007

with thanks
SIGNED: Margaret Porter
DATED: 3/1/07

MEMORANDUM

TO: Lebanon Planning Board
FROM: Kenneth Niemczyk, City Planner
David Brooks, Associate Planner
DATE: December 26, 2006

REQUEST

WOMEN'S INFORMATION SERVICE OF THE UPPER VALLEY (W.I.S.E.) - Request for Site Plan Review of proposed conversion of an existing two-family dwelling to an office building at 38 Bank Street, Tax Map 92, Lot 116, Lebanon, NH, in the R-O zone. #PB2006-57

DRAWINGS AND OTHER SUBMISSIONS

- ▶ Plan titled "Site Plan for WISE of the Upper Valley, Inc.", drawn by Pathways Consulting, LLC, dated December 11, 2006, last revised December 26, 2006, project #11381.
- ▶ Plan Set titled "Landscaping and Lighting Plan and Details" (2 Sheets), drawn by Saucier & Flynn, Ltd., dated December 11, 2006, last revised December 26, 2006.
- ▶ Plan titled "Boundary Survey of 38 Bank Street" (1 Sheets), drawn by Bruno Associates, Inc. P.C., dated September 29, 2006, drawing #06115-BO.
- ▶ Letter to Ken Niemczyk from Pat Buccellato, Project Manager for Pathways Consulting, LLC, dated December 11, 2006. (support statement and waivers)
- ▶ Letter to Ken Niemczyk from Carol Williams, ASLA for Saucier & Flynn Landscape Architects, not dated. (waiver requests)

COMPLETENESS REVIEW

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

OVERVIEW

The 0.43-acre parcel is located within the Residential-Office (R-O) Zoning District, as well as the Higher Density Residential future land use category. The parcel is not within the Shoreland Protection, Airport Protection, Wetlands Conservation, or Floodplain Overlay Districts.

The property is currently developed with a 3,775 sq. ft. (gross floor area), 2-story residence, along with associated access, parking, and landscaping. A concrete and gravel driveway currently runs between the residence and the westerly property boundary to a large, partially-paved parking area.

At this time, the applicant proposes interior renovations in order to convert the existing residence to an office use. The applicant does not propose any exterior changes to the structure, with the exception of adding a handicap access ramp along the west side of the building. Section 601 of the Zoning Ordinance regulates the conversion of older residences in the City. Even where no exterior renovations are proposed to an existing structure, Section 601.9 requires that the applicant shall be required to have Site Plan Review by the Planning Board.

The applicant proposes to abandon the existing driveway on the west side of the building and will construct a new curb cut and driveway on the east side of the building to provide access to the parking area in the rear of the property. A portion of the existing driveway will be removed and reseeded with the remainder being kept as a pedestrian walkway. The new driveway and parking area are proposed to have an unpaved, aggregate surface in order to reduce the amount of stormwater run-off from the improvements.

WAIVER REQUESTS

(7.2 Submission request & 7.3 Waivers from other requirements)

The applicant has requested the following waivers:

Section 5.1.T – All existing and proposed surface and subsurface storm drainage facilities, including City storm drainage facilities located immediately adjacent to the site. Plans for retention, slow release of storm water, and treatment shall be provided, where necessary. The site plan shall include drainage plans prepared by a professional engineer licensed by the New Hampshire Board of Engineers. One set of calculations and a drainage area plan shall be submitted to support the drainage plan.

Section 6.2.B.1 – On all parcels subject to these Regulations, a minimum landscaped area along the front, side, and rear property lines shall be provided, except within the Central Business District where proposed development of the site does not allow. This area shall be a minimum of 15 feet in width for the length of each property line, and shall total at least 20% of the entire lot area. Landscaping around buildings or in parking lots that does not fall within the perimeter zone shall not be counted toward this requirement.

Section 6.2.B.2 – The perimeter landscaped area shall be planted with intermittent vegetation from the ground level to at least 30 feet in height at maturity, and shall be planted at a minimum with one (1) shade tree plus a mix of shrubs and understory trees totaling at least 5 plants for each 600 square feet, unless the Planning Board determines that a semi-opaque or an opaque buffer is required.

Section 6.2.B.10 – Trees spaced no greater than 40 feet on center shall be provided along all street frontages in order to create a definition of the street with regularly spaced shade trees appropriate to the neighborhood. These trees may be counted toward the amount of planting required in the perimeter landscaped area.

Section 6.2.D.1 – 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.

Section 6.5.C.2 – Parking areas shall be finished with paved material. Pavement cross-sections shall include a minimum of 2 inches of bituminous pavement over 6 inches of crushed stone and 12 inches of bank-run gravel for light-duty parking areas (for example, small retail uses, office uses, and multifamily uses); and 3 inches of bituminous pavement over 6 inches of crushed stone and 18 inches of bank-run gravel for heavy-duty parking areas (for example, large retail uses, shopping centers, and industrial uses).

Section 6.5.F.1.d – Light sources shall not cast glare upon adjacent properties or on a public right-of-way. The intensity at adjoining streets shall not exceed 0.5 foot-candle, and the intensity at adjoining residential properties shall not exceed 0.1 foot-candles.

Section 6.5.F.2.c – Areas designated as parking lots or passive vehicular storage areas shall be illuminated so that the average horizontal illuminance at grade level is no more than 5.0 foot-candles. The uniformity ratio (ratio of average to minimum illuminance) shall be no greater than 4:1. The average and minimum shall be computed for only that area designated as parking lots or passive vehicular storage areas.

STAFF COMMENTS

ASSESSING

No Comment.

BUILDING INSPECTION

The applicants have addressed comments from the Building Inspector to date.

ENGINEERING

The concrete apron for the new curb cut and driveway shall extend from Bank Street to the property line before changing to a gravel surface.

FIRE

1. The Fire Department requests that the driveway be widened as much as possible. The Lebanon Fire Department consistently asks for driveway widths no less than 18 feet to accommodate fire and rescue apparatus.
2. The turning radius into the driveway should be increased as much as possible. The Lebanon Fire Department consistently asks for no less than a 25 foot inside radius to accommodate fire apparatus entering the driveway.

PLANNING:

5.1 Drawings and Other Submittal

The applicant has requested waivers from the Submission Requirements and the Design Requirements as noted above.

6.1 General Requirements

The Planning Office notes that the abutting property to the south (Map/Lot 92-142: n/f MBJK Limited Partnership) received a Historic Landmark Designation in 1999 from the City's Historic District Commission (now the Heritage Commission). Following is a description of the property taken from the brochure "*Guide to Historic Landmarks, 1999*":

Muchmore-Rodgers House, 38 Green Street

Constructed in 1871-1872, it is structurally the same as when built but lacked all of the elaborate trim inside and out. The trim was added by Mr. Rodgers for his occupancy. Mr. Muchmore was a leading builder and woodworker in Lebanon in the firm of "Muchmore and Whipple". Mr. Rodgers was a major benefactor of Lebanon in many ways. The house is in the "Eclectic Queen Anne" style and is an interesting example of the elaborate trim of the time. It is now an apartment house with its ell and carriage house attached.

The Planning Office notes that the current project will retain the existing row of large hemlock trees as well as the existing 6-foot tall stockade fence, which act to screen the property from the abutting parcel to the south. To that end, the Planning Office believes that the adjacent historic property to the south will not experience any negative impact from the proposed conversion project.

6.2 Landscaping Standards

The applicant has requested several waivers from the landscaping requirements of the Site Plan Review Regulations. In general, the applicant proposes to retain the existing perimeter landscaping and fencing for the project. One additional shade tree and several understory shrubs will be added along the eastern side of the parking lot to help screen the area from the adjacent property. The Planning Office believes that the applicant has met the intent of the landscaping requirements for both perimeter plantings and the effective shading and screening of the parking area.

6.5 Coordination of Roads, Parking, Loading, Recreation, and Safety

At the request of the Planning Office, the applicant has lowered a proposed wall-mounted fixture on the rear of the building to 20 feet in height. The applicant has requested a waiver from Section 6.5.F.1(d) of the Site Plan Review Regulations concerning light trespass. The photometrics provided by the applicant indicate that there could be some light trespass in excess of 0.1 footcandle onto the adjacent parcel to the west. However, the Planning Office notes that there are some existing trees and a stockade fence in the southwesterly corner of the property, which should reduce the amount of actual light trespass.

POLICE

The applicants have addressed comments from the Police Department to date.

ZONING

The applicant has verified the coverage calculations in conformance with Section 601.3 of the Zoning Ordinance, which requires that "impermeable coverage plus unpaved parking and

driveway areas shall not exceed 65 percent of the lot area.”

STAFF RECOMMENDATIONS

If the Planning Board moves to approve this application, then based on the information reviewed by the city staff, the Planning Office recommends that the Planning Board approve the application with the following conditions:

1. The applicant shall revise the project plans to depict the concrete apron for the new curb cut extending to the property line before changing to a gravel surface.
2. The applicant shall work with the Lebanon Fire Department to increase the width of the driveway and/or the increase the inside radius dimension of the curb cut to the satisfaction of the Fire Department.
3. The applicant shall provide two sets of revised plans showing the conditions to the Planning Office.
4. The applicant shall provide a digital site plan drawing (Cad .dwg Format) prior to the issuance of a Certificate of Occupancy.

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: WISE OF THE UPPER VALLEY, INC. TEL.#: (866) 348-9473

MAILING ADDRESS: 38 BANK STREET, LEBANON, NH 03766

E-MAIL ADDRESS: WISE@WISEVY.ORG

CO-APPLICANT, AGENT, OR LESSEE:

NAME: FRANK J. BARRETT, JR. AIA TEL.#: (603) 296-0004

MAILING ADDRESS: 281 THE BEND ROAD, GREENSBORO BEND, VT 05842

E-MAIL ADDRESS: FRANKJ.BARRETTJR@GMAIL.COM

PROJECT LOCATION:

TAX MAP #: 92 LOT#: 116 PLOT #: - ZONE: RO

STREET ADDRESS OF PROJECT: 38 BANK STREET

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

SCOPE OF PROJECT:

TO REMOVE EXISTING REAR BUILDING AND REPLACE IN KIND ON SAME FOOTPRINT

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 JULY 31, 2024 unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: FRANK J. BARRETT, JR. AIA DATE: 5/27/2024

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

PROPERTY OWNER: _____ DATE: _____

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - \$ AMOUNT	DATE PAID	VOUCHER #
<u>6/3/2024</u>	<u>92-116</u>	<u>PB2024-26-SPR</u>			

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: WISE OF THE UPPER VALLEY INC TEL #: (866) 348-9473
 MAILING ADDRESS: 38 BANK STREET, LEBANON, NH 03766
 E-MAIL ADDRESS: WISE@WISEVY.ORG

CO-APPLICANT, AGENT, OR LESSEE:

NAME: FRANK J. BARRITT JR AIA TEL #: (603) 296-0004
 MAILING ADDRESS: 281 THE BEND ROAD, GREENSBORO BEND, VT 05842
 E-MAIL ADDRESS: FRANKJ.BARRITTJR@GMAIL.COM

PROJECT LOCATION:

TAX MAP #: 92 LOT #: 116 PLOT #: — ZONE: RO
 STREET ADDRESS OF PROJECT: 38 BANK STREET
 IS THIS PROPERTY LOCATED IN THE: WETLANDS ☐ YES ☒ NO HISTORIC DISTRICT ☐ YES ☒ NO
 FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:

TO REMOVE EXISTING REAR BUILDING AND
REPLACE IN KIND ON SAME FOOTPRINT

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 JULY 31, 2024 unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: FRANK J. BARRITT JR AIA DATE: 5/27/2024

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: Peggy O'Neil DATE: May 28, 2024

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



barnett architecture

FRANK J. BARRETT, JR., A.I.A.

May 27, 2024

Lebanon Planning Board
C/O City of Lebanon Planning and Development Department
51 North Park Street
Lebanon, NH 03766

Attn:

Tim Corwin; Deputy Planning and Development Director

RE:

Women's Information Service / Wise of the Upper Valley, Inc. ("WISE")
38 Bank Street; Tax Map 92 / Lot 116.

Dear Members of the Lebanon Zoning Board of Adjustment,

This **Application for Site Plan Review** relative to the above referenced property, proposes to raze an existing 1 ½ story attached garage structure and replace it with a new building of identical footprint that is a full two (2) stories in height. Also included is removing and replacing in kind the existing covered entry porch.

Background and Proposed Project Description

WISE ("property Owner") has owned and occupied the existing property located at 38 Bank Street; Tax Map 92 / Lot 116; in the Residential – Office District (R-O) since about July 2006. Since that time, what had been a single-family residence with a one-bedroom apartment unit, has been office space for WISE. The existing two-story wood framed building was constructed in the mid to late nineteenth century as a single-family residence with a 1 ½ story attached horse and carriage stable structure. In the twentieth century that stable structure was converted into a two-bay garage, with storage above

The building is situated on a 0.43-acre lot. In years past, just as the residential area of the former house has been converted to office space, so too the former stable portion of the building has been converted into a two-bay automotive garage with undeveloped second floor loft space above. This area of the building also includes an enclosed egress stair.

The existing lot, situated on the southerly side of Bank Street, is rectangular in shape, measuring about 85-feet wide (street frontage) by about 220-feet deep. On September 29, 2006, a boundary survey was completed, and recorded, of the property, by Bruno Associates, Inc., P.C. for WISE. About March 2007 the Lebanon Planning Board approved a site plan of the property, prepared by Pathways Consulting, LLC, that included a new driveway into the property, located on the easterly side of the lot, and sixteen (16) new parking spaces. These new spaces, together with the two (2) spaces within the existing attached garage, provided the facility with a total of eighteen (18) on-site vehicular parking spaces.

281 THE BEND ROAD ■ GREENSBORO BEND, VERMONT 05842

TELEPHONE: (802) 296-0004 ■ E-MAIL: FRANKJBARRETTJR@GMAIL.COM

Since acquiring the property located at 38 Bank Street, WISE has had the opportunity to acquire the two (2) adjacent properties that border the westerly side of their 38 Bank Street property: 34 Bank Street (tax map 92 / lot 117), acquired about September 2020; and 36 Bank Street (tax map 92 / 118), acquired about October 2013. Both of these properties are used by WISE as safe housing for abuse victims and families.

At this time, WISE is proposing to completely remove the rearmost section of the existing building – the former stable and present garage. In its place it is proposed to construct a new two-story wood framed addition, on the exact same footprint of the piece to be removed: 32'-6" X 24'-6" = 796 gross square feet. Also included in this proposed work is a new first floor open covered open entry porch, 11'-0" X 12'-6" = 138 gross square feet. The first floor of the new addition will house two (2) garage bays and a new fire-rated stair serving the second floor. The second floor of the new addition will be four (4) small office cubicles and the new fire rated stair.

796
138

The reason for razing the existing rear section of the existing building is twofold. First there are numerous structural limitations that make renovating the existing building difficult and expensive, with a less than ideal outcome. Secondly, the existing building section to be removed is best described as being 1 ½ - stories. This makes for less than efficient use of the second-floor area. Therefore, it has been determined that it is far better to completely remove and replace this rear section of the facility – utilizing the existing footprint area. This makes for far better value for the expenditure of money that is being made, and a far better second floor layout and workspace for WISE staff.

This proposal includes only a small amount of new work within the existing first floor area to remain: the renovation of an existing toilet room. Otherwise, there is no renovation work within the existing building area that will remain.

Vehicular Parking

This proposal for Site Plan Review does not include any work on or changes to the existing sixteen (16) car gravel parking lot located in the rear of the existing property. On April 17, 2024, the Lebanon Zoning Board of Adjustment granted a variance, Case Number ZB2023-06-VAR, providing relief of the requirement of providing three (3) parking spaces to support this proposal now before the Planning Board.

Thank you for your time and interest in reviewing this application.

Sincerely,

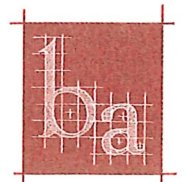


Frank J. Barrett, Jr. A.I.A.

Architect

Cc: WISE, Inc.

File





City of Lebanon, New Hampshire APPLICATION FOR WAIVERS

Office Use Only

Date Received: _____

File No.: _____

PROJECT INFORMATION

Name of Applicant: WISE, INC.

Project Name: NEW ADDITION TO WISE, INC., LEBANON, NH

Project Address: 38 BANK STREET, LEBANON, NH

WAIVER REGULATIONS

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

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

OR

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

WAIVER REQUEST(S)

I (we) hereby request a Waiver from:

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

1. Section 5.1.E(5) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because NOT

APPLICABLE TO THIS SPECIFIC PROJECT

2. Section 5.1.E(6) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.

#2

3. Section 5.1.E (8) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.

4. Section 5.1.E (10) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.

5. Section 5.1.E (11) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.

6. Section 5.1.E (12) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.

7. Section 5.1.E (13) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.

8. Section 5.1.E (14) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.

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: [Signature] Date: 5/8/2014

- 5.1.E (15)
3. Section A of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.
- 5.1.E (16)
4. Section A of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.
- 5.1.E (17)
5. Section A of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.
- 5.1.E (18)
6. Section A of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.
- 5.1.E (20)
7. Section A of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.
- 5.1.E (21)
8. Section A of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.

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: FBjr Date: 5/18/2024

3. Section 5.1.E (22) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.
4. Section 5.1.E (23) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.
5. Section 5.1.E (24) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.
6. Section 5.1.4 (1) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.
7. Section 5.1.4 (2) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.
8. Section 5.1.4 (4) of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because d.o.

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:

FRANK J. BARRETT JR. Date: 5/8/2024

CITY OF LEBANON, NH SITE PLAN REVIEW REGULATIONS TECHNICAL CHECKLIST	
PROJECT NAME: WISE, INC	
APPLICANT: FRANK J. BARRIENTE, JR. AIA ARCHITECT	DATE: 5/27/2024
GENERAL SUBMISSION REQUIREMENTS:	

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

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

The appropriate filing fees. [§5.1.B]

A written project description. [§5.1.C]

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

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

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

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

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

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

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

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

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

PLAN SUBMITTAL TECHNICAL CHECKLIST:

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

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

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

[Checklist begins on following page]

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

Plan Requirements	Info. Provided	Waiver Sought
<u>5.1.E(1)</u> - Vicinity sketch showing the location of the site in relation to the surrounding public street system (suggested scale: 1" = 500').	☒	N/A
<u>5.1.E(2)</u> - Names and mailing addresses of the Applicant; the Owner(s) of record of the site; the Owners of abutting properties; and the Holders of any easements, rights of way, or other restrictions, based on the current records of the City Assessor available at City Hall, not more than 5 days before the date of filing of the application.	☒	N/A
<u>5.1.E(3)</u> - Names and business addresses of the preparer(s) of the plan and every surveyor, engineer, architect, soil scientist, or wetlands scientist whose professional seal appears on any plan or document submitted to the Board.	☒	N/A
<u>5.1.E(4)</u> - The following information shall be provided on the first page (or cover page, if applicable) of the Site Plan: - Name of the City and County in which the development is proposed; - North arrow; - Scale of the plan; - Date of the plan and of any revisions to the plan; (NOTE: The date on the plan at the time of initial submission for application review shall be included on all subsequent submissions to the City. Any subsequent change(s) to the plan shall include a revision date and description of the revision(s).) - The following basic site information in TABLE FORM: - Zoning designation for subject property; - Tax Map and Lot number(s) for subject property; - Area of lot; - Gross floor area of existing and proposed buildings/additions; - Number of existing and proposed on- and off-street parking spaces as a table. The table must identify (i) the number of required (minimum) parking spaces and the permitted (maximum) number of parking spaces and the calculations for each, (ii) future proposed, and (iii) existing parking capacity. If the site is part of an existing development or subdivision, the master table must provide such information for all related sites and phases, individually and as a project total;	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☐ ☐ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☐	N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A
- Number of existing and proposed short- and long-term bicycle storage spaces; - Number of existing and proposed loading spaces; - Height of existing and proposed buildings/additions; - Number of stories and gross square footage of each; - Proposed use; - Required and proposed front, side, and rear yard setbacks - Maximum allowable lot coverage with existing and proposed calculations; - Indication of whether or not the property is subject to any City Overlay districts (for example, the Wetlands Conservation District or Flood Plain District) or to NHDES Shoreland Water Quality Protection jurisdiction.	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	N/A N/A N/A N/A N/A N/A N/A N/A N/A
<u>5.1.E(5)</u> - Current survey certified by a land surveyor licensed in New Hampshire, depicting the perimeter boundaries of the lot(s) of the proposed site, including compass bearings, distances, and lot areas, and depicting the location of any existing improvements on the property and the width and location of any rights-of-way and/or easements on the property.	☐	☒

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

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

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

Plan Requirements (cont.)	Info. Provided	Waiver Sought
<u>5.1.E(13)</u> - Plan for outdoor lighting showing proposed location, mounting height, fixture type, lamp type, color correlated temperature (CCT), and wattage of all exterior free-standing lighting or building-mounted fixtures.	☐	☐
<u>5.1.E(13)</u> - Analyses and illuminance-level diagrams, to include average and minimum foot-candle measurements, showing that proposed installation conforms to the lighting-level standards in Site Plan Review Regulations.	☐	☒
<u>5.1.E(13)</u> - Manufacturer's specification information for each proposed light fixture and lamp (NOTE: This information may be provided on the plan or as a separate attachment).	☐	☒
<u>5.1.E(13)</u> - Drawings of all relevant building elevations showing location and height of all building-mounted fixtures, the portions of any walls or architectural features to be illuminated, illumination levels of walls or architectural features, and aiming points for any remote light fixtures.	☒	☐
<u>5.1.E(14)</u> - Plan for location of free-standing or building-mounted signs, including location, mounting, aiming, and shielding of any remote light fixtures for externally-lit signs.	☐	☒
<u>5.1.E(14)</u> - For internally-lit signs, relevant information concerning the method of illumination and the opacity of the sign background, showing that the proposed installation conforms to the requirements of the Regulations.	☐	☒
<u>5.1.E(15)</u> - The location and boundaries of any Overlay Districts established pursuant to Article IV of the Zoning Ordinance (including but not limited to the Wetlands Conservation District, Riverbank Protection District, Steep Slopes District, and Floodplain District) and, if applicable, protected shorelands pursuant to the Shoreland Water Quality Protection Act (NH RSA 483-B).	☐	☒
<u>5.1.E(15)</u> - For properties located within the Floodplain District, the 100-year flood elevation, floodway, shoreland protection zone, and flood plain limits shall be identified.	☐	☒
<u>5.1.E(16)</u> - Landscaping plan showing proposed new plantings to be installed and existing natural vegetation to be retained. Plan shall show in detail the number, size (height and/or caliper), and species (botanical and common names) of all proposed shrubs and trees.	☐	☒
<u>5.1.E(16)</u> - Existing trees over 12 inches in diameter (measured 4.5 feet above ground surface) within 25 feet of the disturbed area, must be counted and shown on the plan, if included towards fulfilling landscaping requirements.	☒	☐
<u>5.1.E(16)</u> - Calculations for square footage of perimeter landscaping.	☐	☒
<u>5.1.E(16)</u> - Parking lot shading calculations shall be provided by depicting new trees and shrubs at 10-year crown size.	☐	☒
<u>5.1.E(17)</u> - Existing and proposed surface and subsurface storm drainage facilities, including City storm drainage facilities located within 200' of site.	☐	☒
<u>5.1.E(17)</u> - Plans for retention, detention, slow release, and treatment of storm water shall be provided shall be provided in accordance with the requirements of Section 6.6.	☐	☒
<u>5.1.E(18)</u> - Section 6.6. Stormwater Management submission requirements.	See Stormwater Checklist	
<u>5.1.E(19)</u> - Plans for snow removal and storage.	☐	☒

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

Plan Requirements (cont.)	Info. Provided	Waiver Sought
5.1.E(20) - A plan for the development showing provisions for automobile, transit, bicyclist, and pedestrian access and circulation. Such plan shall show both existing and proposed means of access to the site including connections with, public streets, sidewalks, transit stops, and formal paths/trails. Plans shall include any traffic calming and traffic control devices necessary in conjunction with the site development, as well as the location of all existing transit routes and transit stops located or passing within 1/4 mile (1,320 feet) of the property.	☐	☒
5.1.E(21) - Construction detail drawings including, but not limited to, pavements, walks, steps, curbing, drainage structures, water and/or sewer utilities, ground-mounted signage (e.g., fire lanes, ADA parking, commercial), surface treatments, transit shelters, energy generation units (e.g., solar), bike rack style, electric vehicle charging, outdoor lighting, outdoor furniture, retaining walls, tree boxes and other site systems or structures. Accompanying specifications and cutsheets may be required.	☐	☒
5.1.E(21) - Where applicable, roadway, drainage, water and sewer utility profile drawings shall be provided at a scale of 1"=40 feet (horizontal) and 1"=4 feet (vertical) and typical cross-section drawings shall be provided at a scale of 1"=5 feet (horizontal and vertical), unless prior approval to use an alternate scale is granted by the Reviewing Engineer. (NOTE: Ordinarily, only two (2) sets of such construction drawings shall be provided to the Planning and Development Department with the application submission.)	☐	☒
5.1.E(22) - Depict any current and proposed easements, rights-of-way, and deed restrictions including those related to sewer, electrical utility, shared access, etc.	☐	☒
5.1.E(23) - For multi-family structures, plans for on-site recreational facilities.	☐	☒
5.1.E(24) - Where a fire, emergency equipment, or similar vehicle turnaround area is provided, it must have an adequate turn radius. Provide CAD Autoturn data or a similar basis of design for the turn radius, if requested by Lebanon Fire or Engineering staff. City staff may also ask for this information at any time.	☐	☒
Supporting Documents and Information, Where Applicable	Info. Provided	Not Applicable
5.1.G(1) - An estimated timetable, to include phasing schedules, for construction and completion of buildings, parking, facilities, landscaping, and other required improvements.	☐	☒
5.1.G(2) - Any development estimated to generate a net increase of 100 peak hour trips or 1,000 average daily trips (based upon the most current edition of the ITE Trip Generation Manual) shall prepare and submit a Traffic Impact Study in accordance with standard traffic analysis conventions as set forth by the NHDOT. The Board may, at its discretion, require the submission of a Traffic Impact Study for developments estimated to generate less than 100 peak hour trips or 1,000 average daily trips if the Board has reason to believe such development could adversely affect levels of service or have other adverse impacts.	☐	☒
5.1.G(3) - Written requests for waivers from all applicable provisions of these Regulations shall be provided pursuant to Article VII - "Waiver Procedure". (note: use Application for Waivers form).	☒	☐
5.1.G(4) - For multi-family dwelling developments and mixed-use developments resulting in a net increase of 50 dwelling units or more, the application shall include the information and impact statements identified in Section 6.9.B.	☐	☒

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

Completed By: FRANK J. BARRER, JR. A.I.A.
5/8/2024

Last Revised 9/20/21

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

CITY OF LEBANON, NH STORMWATER REVIEW REGULATIONS TECHNICAL CHECKLIST	
PROJECT NAME: WISE, INC.	
APPLICANT: FRANK J. BARNETT, JR., N.A. ARCHITECT	DATE: 5/27/2024

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

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

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

[Stormwater checklist begins on following page]

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

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

Plan Requirements (cont.)

Waiver Sought

- 7

- 7

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2

6.6.C.2 - In addition to the above described SMP plan sheets, the following SMP supplemental information is required:

- 1

Last Revised 9/20/21

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

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

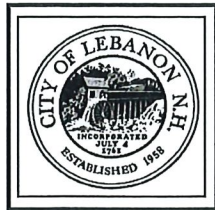
NOTE: THE APPLICANT IS RESPONSIBLE FOR PROVIDING THE REQUIRED INFORMATION PURSUANT TO ARTICLE VI OF THE SITE PLAN REVIEW REGULATIONS. PLEASE BE AWARE THAT THIS CHECKLIST IS FOR INFORMATION AND GUIDANCE ONLY AND DOES NOT REPRESENT THE LAW DICTATING SUBMITTAL REQUIREMENTS NOR IS IT COMPLETE AND INCLUSIVE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

Completed By: _____

(Last Revised 9/20/2021)

Planning office Use Only:

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



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

NOTICE OF DECISION LEBANON ZONING BOARD OF ADJUSTMENT ZB2023-06-VAR

The Lebanon Zoning Board of Adjustment, at a regular meeting held on **April 1, 2024**, approved the following motion made by Paul McDonough, seconded by Michael Morris, by a vote of **5-0**:

"On **April 1st, 2024**, at a duly-noticed meeting of the Lebanon Zoning Board of Adjustment, there appeared Frank J. Barrett Jr. and Peggy O'Neil regarding 38 Bank Street (Tax Map 92, Lot 116), zoned R-O: Applicant requests a Variance from Section 607.1, pursuant to Section 801.2 of the Zoning Ordinance to allow the elimination of 3 required parking spaces. ZB2024-06-VAR."

I. FINDINGS OF FACT

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

1. The property is improved with office space and an attached garage. The space has been redeveloped over time and has been converted from a house into office space that houses the WISE operation. The lot is 15,681 sq. ft., the lot is conforming to the 10,000 sq. ft. minimum lot size required for Class 1 lots in the R-O District.
2. The applicants propose demolishing an attached garage and reconstructing it to include a full second-story office.
3. To obtain the requested Variance from section §308.3, the applicants must demonstrate compliance with each of the five variance criteria as set forth in Section 801.2 and NH RSA 674:33, I(b).
4. The applicants have submitted testimony addressing the section §801.2 Variance criteria in an application received by the Planning and Development Department on March 11th 2024.
5. No one from the public appeared to testify in favor or against and there was no one online to testify in favor or against.

II. CONCLUSIONS OF LAW

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

1. The variance **will not** be contrary to the public interest. (Section 801.2.A.1)
2. The spirit of the ordinance **is** observed. (Section 801.2.A.2)
3. Substantial justice **is** done. (Section 801.2.A.3)
4. The values of surrounding properties **are not** diminished. (Section 801.2.A.4)

NOTICE OF DECISION

38 Bank St (92-116)

ZB2024-06-VAR

April 17, 2024

Page 2 of 3

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. Owing to **[the following]** special conditions of the property that distinguish it from other properties in the area (Section 801.2.A.5.a):

Absent the variance relief, a portion of the structure will be stranded and unable to be enjoyed by the landowner.

6. There **is not** a fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property. (Section 801.2.A.5.a.i)
7. The proposed use **is** a reasonable one. (Section 801.2.A.5.a.ii)

III. DECISION

Now therefore be it resolved, the Lebanon Zoning Board of Adjustment, on this 1st **day of April 2024**, hereby **GRANTS** the requested Variances from Section §607.1, pursuant to Section §801.2 of the Zoning Ordinance to allow the elimination of 3 required parking spaces for the tear down and rebuild of an attached garage with the addition of office space as set forth above and per testimony, plans, and materials submitted, and per the following conditions:

1. The applicant shall obtain a building permit.

Notice of Decision prepared by: Tiffany Adams, Administrative Secretary, April 17, 2024

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

Zoning Ordinance:

901.6 Time Limit of Permit.

A zoning permit shall become void if construction is not begun thereunder within 2 years from the date of issuance of the permit or grant of a special exception or variance.

901.7 Date of Issuance of Zoning Permit.

On approval by the Board of Adjustment of an administrative appeal, variance or special exception, the Zoning Administrator shall issue a zoning permit as of the date of approval of the Board of Adjustment. Zoning permits shall be conditioned upon receipt of Site Plan Review approval from the Planning Board, when such approval is required. When Site Plan Review is required, the date of the zoning permit for the purposes of SECTION 901.6 shall be the date of receipt of Site Plan Review approval.



Apr 17, 2024

CERTIFIED NOTIFICATION LIST

Notice shall be sent by certified mail to the Owner; Applicant, if different from Owner; Abutters; Holders of conservation, preservation, or agricultural preservation restrictions (as defined under RSA 477:45) on the subject property; the holders of easements, rights-of-way, and other restrictions; and every engineer, architect, land surveyor, or soil or wetlands scientist whose seal appears on any plan submitted to the Board; and any other persons required by RSA 676:4, I(d). The names and mailing addresses shall be furnished by the Applicant.

672:3 Abutter. – "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A:1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board.

Source. 1983, 447:1. 1986, 33:2. 2002, 216:1, eff. July 15, 2002.

PLEASE PROVIDE NAMES & MAILING ADDRESSES FOR ALL PERSONS LISTED ABOVE.

Map & Lot Number: 92-116	Map & Lot Number: N/A
Property Owner: WISE OF THE UPPER VALLEY, INC. 38 BANK STREET LEBANON, NH 03766	Applicant, Co-Applicant, Agent, or Lessee: FRANK J. BARRETT, JR. 281 THE BEND ROAD GREENSBORO BEND, VT 05842
Map & Lot Number: 92-75	Map & Lot Number: 92-76
ROGAE, LISA A. AND ISHLL, ALEX T. 486 CANAAN STREET STREET CANAAN, NH 03741	CARPENTER, ROBIN AND THERESA, TRUSTEES ARC ANGLE TRUST 41 BANK STREET LEBANON, NH 03766
Map & Lot Number: 92-115	Map & Lot Number: 92-142
FILIANO, CATHERINE J. REVOLUBLE TRUST 44 BANK STREET LEBANON, NH 03766	VAR PROPERTIES 26 BANK STREET LEBANON, NH 03766

Map & Lot Number: 92-117	Map & Lot Number:
W15E	
Map & Lot Number: 92-118	Map & Lot Number:
W15E	
Map & Lot Number:	Map & Lot Number:
Map & Lot Number:	Map & Lot Number:
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Map & Lot Number:	Map & Lot Number:

(Revised 2/8/2024)

FEE SCHEDULE LEBANON PLANNING BOARD

Adopted January 24, 2022

LOT LINE ADJUSTMENT (Boundary Line Adjustment)

		TOTALS
FILING FEE	\$25.00	\$25.00
ADVERTISING FEE	\$100	\$100
NOTIFICATION FEE (see note on page 2)	\$5.00 + Current USPS rate per certified notice (see below) X _____ notices	\$5.00 \$ _____ (abutter certified)
TOTAL DUE		\$

MINOR SUBDIVISION

		TOTALS
FILING FEE	\$150.00	\$150.00
ADVERTISING FEE	\$100.00	\$100.00
NOTIFICATION FEE (see note on page 2)	\$5.00 + Current USPS rate per certified notice (see below) X _____ notices	\$5.00 \$ _____ (abutter certified)
TOTAL DUE AT TIME OF FILING		\$

**Engineering Review fees may also be required. See note on page 2.

PRELIMINARY REVIEW OF A MAJOR SUBDIVISION

		TOTALS
FILING FEE	\$200.00	\$200.00
NUMBER OF LOTS* _____	\$30.00 per lot*	
ADVERTISING FEE	\$100.00	\$100.00
NOTIFICATION FEE (see note on page 2)	\$5.00 + Current USPS rate per certified notice (see below) X _____ notices	\$5.00 \$ _____ (abutter certified)
TOTAL DUE AT TIME OF FILING		\$

*Or units when the subdivision does not create individual lots.

**Engineering Review fees will also be required. See note on page 2.

FINAL REVIEW OF A MAJOR SUBDIVISION

		TOTALS
FILING FEE	\$500.00	\$500.00
FIRST FIVE (5) LOTS*	\$75.00 per lot*	
NUMBER OF LOTS 6+*	\$150.00 per lot*	
ADVERTISING FEE	\$100.00	\$100.00
NOTIFICATION FEE (see note on page 2)	\$5.00 + Current USPS rate per certified notice (see below) X _____ notices	\$5.00 \$ _____ (abutter certified)
TOTAL DUE TIME OF FILING		\$

*Or units when the subdivision does not create individual lots.

**Engineering Review fees will also be required. See note on page 2.

SITE PLAN REVIEW

		TOTALS
FILING FEE	\$250.00	\$250.00
SQUARE FOOTAGE $24' \times 32' = 768$ $768 \times 2 = 1536$	\$75.00 per 1,000 sq. ft. (gross floor area)	\$119.40
ADVERTISING FEE	\$100.00	\$100.00
NOTIFICATION FEE (see note on page 2)	\$5.00 + Current USPS rate per certified notice (see below) X <u>6</u> notices	\$5.00 \$ <u>30</u> (abutter certified)

SITE PLAN REVIEW		
TOTAL DUE AT TIME OF FILING		\$ 499.40
**Engineering Review fees will also be required. See note on page 2.		

SITE PLAN REVIEW AMENDMENT (WITH STRUCTURAL CHANGES)		
		TOTALS
FILING FEE	\$250.00	\$250.00
SQUARE FOOTAGE	\$75.00 per 1,000 sq. ft. (gross floor area)	
ADVERTISING FEE	\$100.00	\$100.00
NOTIFICATION FEE (see note below)	\$5.00 + Current USPS rate per certified notice (see below) X _____ notices	\$5.00 \$ _____ (abutter certified)
TOTAL DUE AT TIME OF FILING		\$
**Engineering Review fees may also be required. See note below.		

OTHER		
-SITE PLAN REVIEW AMENDMENT (WITH NO STRUCTURAL CHANGES) -EXTENSION REQUESTS -CONDITIONAL USE PERMITS		
		TOTALS
FILING FEE	\$250.00	\$250.00
ADVERTISING FEE	\$100.00	\$100.00
NOTIFICATION FEE (see note below)	\$5.00 + Current USPS rate per certified notice (see below) X _____ notices	\$5.00 \$ _____ (abutter certified)
TOTAL DUE AT TIME OF FILING		\$
**Engineering Review fees may also be required. See note below.		

MINOR SITE PLAN REVIEW		
		TOTALS
FILING FEE	\$150.00	\$150.00
NOTIFICATION FEE (see note below)	Current USPS rate per certified notice (see below) X _____ notices	\$ _____ (abutter certified)
TOTAL DUE		\$

ENGINEERING REVIEW FEES:

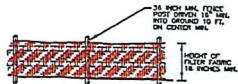
After an application to the Planning Board is submitted and the filing fees identified above have been paid, the Planning & Development Department will determine the scope of required engineering review and will obtain an estimated cost from the reviewing engineer. A cost estimate of the review fees will usually be generated within two (2) – three (3) business days. Once conveyed to the applicant, the estimated review fees shall be paid by the applicant within five (5) business days, and an escrow account shall be established by the Planning & Development Department. No plans will be reviewed unless and until the review fee estimate is paid, if required.

Please note that escrow fees are only an estimate of what services will cost and actual costs of review may be less or more than the amount initially estimated. Any unused portion of the escrow will be returned to the applicant at the end of the approval process if such a surplus remains. Additionally, in the event the escrow amount does not cover the full cost of services the Applicant shall pay any remaining costs as a condition of approval. See also Section 4.7 of the Site Plan Review Regulations and Section 7.7 of the Subdivision Regulations.

NOTIFICATION FEE: CURRENT FEE as of January 2024 is \$5.04 per certified notice

THE CERTIFIED NOTIFICATION FEE IN ALL SECTIONS ABOVE INCLUDES THE FOLLOWING: ALL ABUTTERS, THE APPLICANT, PROPERTY OWNER, HOLDER OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTION(S); AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR OR SOIL SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD AND ANY OTHER PERSONS REQUIRED BY RSA 676:4, I(d).

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF LEAHON
CONSTRUCTION STANDARDS AND SPECIFICATIONS.
LOCATION OF EXISTING UTILITIES FOR UNDERGROUND UTILITIES AND
UTILITIES ARE NOT WARRANTED TO BE EXACT OR COMPLETE.
EXPLORATION CHAINS SHALL BE USED TO VERIFY LOCATION AND
SIZE OF EXISTING UTILITIES AND APPURTENANCES.
TOPOGRAPHY HAS BEEN COMPILED BY BRUNO ASSOCIATES INC. P.C. BASED ON
UPOD 1923.
CONTRACTOR SHALL VERIFY LOCATION OF EXISTING ELECTRIC, GAS, TELEPHONE
AND CABLE UTILITIES. EXISTING UTILITIES SHALL BE PROTECTED AND NOT
BE NOTICED AT LEAST 3 WORKING DAYS PRIOR TO ANY WORK.
MINIMUM DEPTH OF PROTECTION SHALL BE 18" FOR ALL UTILITIES.
MINIMUM OF 48 HOURS PRIOR TO ANY UTILITY CONSTRUCTION. UTILITY
CONSTRUCTION SHALL BE UNDER THE AUTHORIZATION FROM PUBLIC
WORKS PERMITTED.
ALL EXISTING UTILITIES SHALL BE NOTICED PRIOR TO CONSTRUCTION IF THERE ARE ANY
DISCREPANCIES IN PLANS OR EXISTING DATA. CONTRACTOR SHALL BE
PROTECTED WITHOUT PERMISSION FROM THE ENGINEER.
EXISTING UTILITIES SHALL BE PAID FOR BY THE CITY OF LEAHON AS
REQUIRED BY WEATHER CONDITIONS.
DITCHES AND OTHER REMOVAL AREAS SHALL BE NOTICED AFTER
BOTH DURING AND AFTER CONSTRUCTION TO ENSURE THE PROPER REMOVAL
OF SLOPES.
ALL SLOPES GREATER THAN 3:1 (HORIZONTAL TO 1 VERTICAL) SHALL
BE STABILIZED USING MULCH MATTING. ADDITIONAL STABILIZATION MEASURES
NECESSARY SHALL BE DETERMINED BY THE ENGINEER.
CONTRACTOR SHALL DRAIN AND MAINTAIN CONSTRUCTION FACING TO PROTECT
THE EXISTING UTILITIES.
DETAILS FOR FOUNDATION DRAGS AND THEIR ASSOCIATED CONNECTIONS TO
THE EXISTING UTILITIES SHALL BE PROVIDED BY OTHERS.
NO WORK IDENTIFIED BY

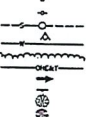


1. DYE FENCE MAY BE OTHER MANUFACTURED OR PREPARED ON SITE. INSTALLATION SHALL BE IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.
2. DYE FENCE SHALL BE LOCATED AS SHOWN ON THE PLAN AND SHALL BE INSTALLED TO PREVENT THE FENCE FROM RUNNING TO A STREAM OR DRAINAGE WHICH MAY CARRY SLOP OR SEDIMENT.
3. SLOTTED FENCE SHALL BE USED IN PLACE BY PLACEHOLDERS IN THE FOLLOWING SITUATIONS:
 - a. WHEN A TRENCH CANNOT BE CONSTRUCTED, THE FENCING MAY BE FOLLOWED BY A TRENCH TO BE CONSTRUCTED AT A LATER DATE.
 - b. IN CASES OF FENCING LIES ON THE DRAINAGE TOWARD THE DIRECTION OF THE FLOW OF FLOODING.
 - c. SLOTTED FENCE SHALL BE USED TO PREVENT A MINOR GULLY OR RAVINE WITH EXPOSED MATERIAL, EXCEPTING A MINOR GULLY OR RAVINE.
4. SUPPORTING STRAKES SHALL BE PLACED NO MORE THAN 10 FEET APART.
5. LANTERNPOST SHALL BE PERFORMED AS NEEDED, FENCING SHALL BE RE-ERECTED AS NEEDED.
6. WHEN THE FENCING BECOMES EXCESSIVELY DISTURBED, THE FENCING SHALL BE RE-ERECTED AS NEEDED. WHEN THE FENCING BECOMES EXCESSIVELY DISTURBED BY THE FORCE, OR WHENEVER WAIVES APPEAR.



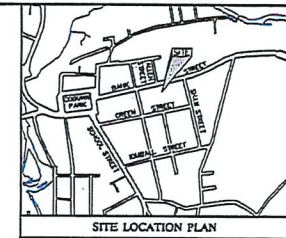
H.T.2.

EXISTING IRON PIPE
UTILITY POLE
EXISTING SEWER & MANHOLE
EXISTING WATER LINE W/ HYDRANT
EDGE OF WOODS
OVERHEAD ELECTRIC & TELEPHONE
DIRECTIONAL FLOW ARROW
EXISTING SIGN
EXISTING HARDWOOD
EXISTING SOFTWOOD



REFERENCE IS MADE TO A PLAN PREPARED BY BRUNO ASSOCIATES INC. P.C.
ENTITLED "BOUNDARY SURVEY OF 38 BANK STREET IN LEDANON, GRAFTON
COUNTY, NEW HAMPSHIRE FOR WOMAN'S INFORMATION SERVICE OF THE UPPER
VALLEY," DATED 09/29/06, DRAWING NO. 06115-BO.

I HEREBY CERTIFY TO THE BEST OF MY BELIEF AND KNOWLEDGE THAT THE BOUNDARY LINES SHOWN ARE CORRECT. BOUNDARY LINES WERE TAKEN FROM THE EXISTING PLAN AS NOTED AND DO NOT MEET THE CURRENT NEW HAMPSHIRE STANDARDS FOR BOUNDARY SURVEYS. THIS PLAN SHOULD NOT BE USED FOR LEGAL CONVEYANCES.



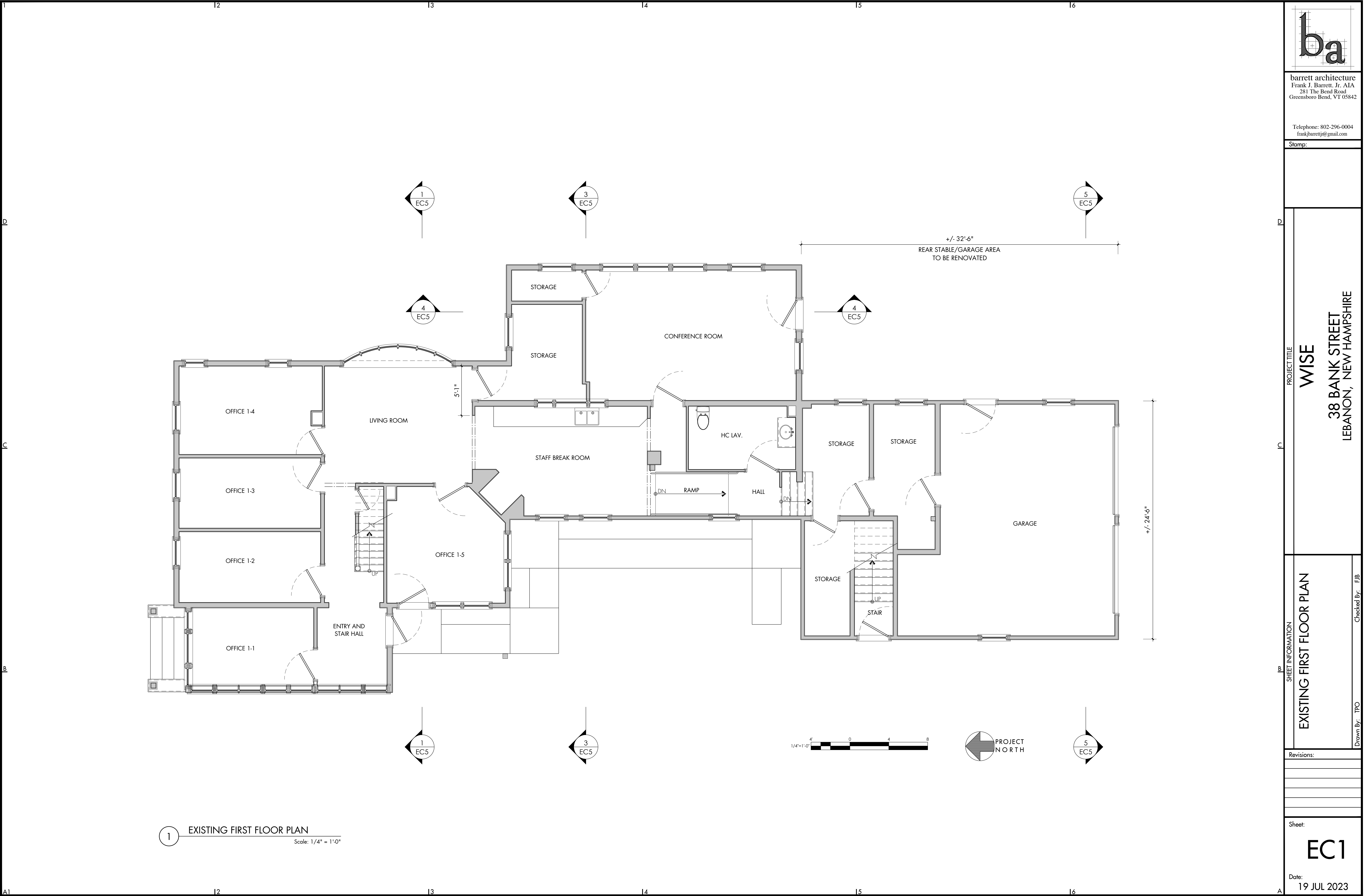
MAP & LOT NUMBER:	MAP 92 LOT 118	
ZONING DISTRICT:	RESIDENTIAL (R0)	
GROSS AREA OF BUILDING:	3,775 SQ. FT.	
AREA OF LOT:	16.833 SQ. FT. (0.43 ACRES)	
LOT COVERAGE (BUILDING):	ALLOWED	EXISTING
	25%	12.9%
COVERAGE (IMPERMEABLE COVERAGE, UNPAVED PARKING & DRIVEWAY AREA):	ALLOWED	PROPOSED
	63%	53%
IMPERVIOUS AREA:	2,336 SQ. FT. (23.5%)	
NUMBER OF STORIES:	1 1/2 STORIES	
EXISTING USE:	RESIDENTIAL	
PROPOSED USE:	OFFICE	
PARKING SPACES:	REQUIRED	PROPOSED
	15 SPACES	16 SPACES
BUILDING HEIGHT:	4 ⁵ '	
BUILDING SETBACKS:	REQUIRED	EXISTING
FRONT	20'	28.5'
SIDE	15'	11.5'
REAR	20'	87.8'
WETLANDS CONSERVATION DISTRICT/FLOODPLAIN DISTRICT:	THE SITE IS NOT LOCATED WITHIN THE CONSERVATION FLOODPLAIN DISTRICT	
AIR SAFETY REGULATIONS:	SECTION 407, AIR SAFETY REGULATION THE ZONING ORDINANCE DOES NOT APPLY	

PATHWAYS CONSULTING, LLC IS NOT AWARE OF ANY CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTIONS ON ADJACENT PARCELS.

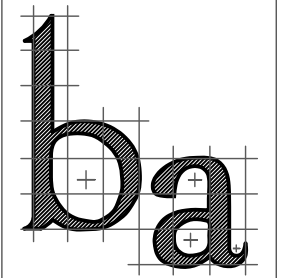
SHEET 1 OF 4	-	SITE PLAN
SHEET 2 OF 4	-	LANDSCAPE & LIGHTING PLAN
SHEET 3 OF 4	-	LANDSCAPE & LIGHTING DETAILS
SHEET 4 OF 4	-	SURVEY PLAN

RECORD OWNER & APPLICANT: WOMEN'S INFORMATION SERVICE
MAP 92 LOT 116 WISE OF THE UPPER VALLEY, INC.
38 BANK STREET
LEAMINGTON SPITALWORTH, CV37 6A

[illegible]



1 EXISTING FIRST FLOOR PLAN
Scale: 1/4" = 1'-0"



barrett architecture
Frank J. Barrett, Jr., AIA
281 The Bend Road
Greensboro Bend, VT 05842

Telephone: 802-296-0004
frankjbarrettjr@gmail.com

Stamp:

PROJECT TITLE

WISE

38 BANK STREET

LEBANON, NEW HAMPSHIRE

SHEET INFORMATION

EXISTING FIRST FLOOR PLAN

Drawn By: TPO Checked By: FJB

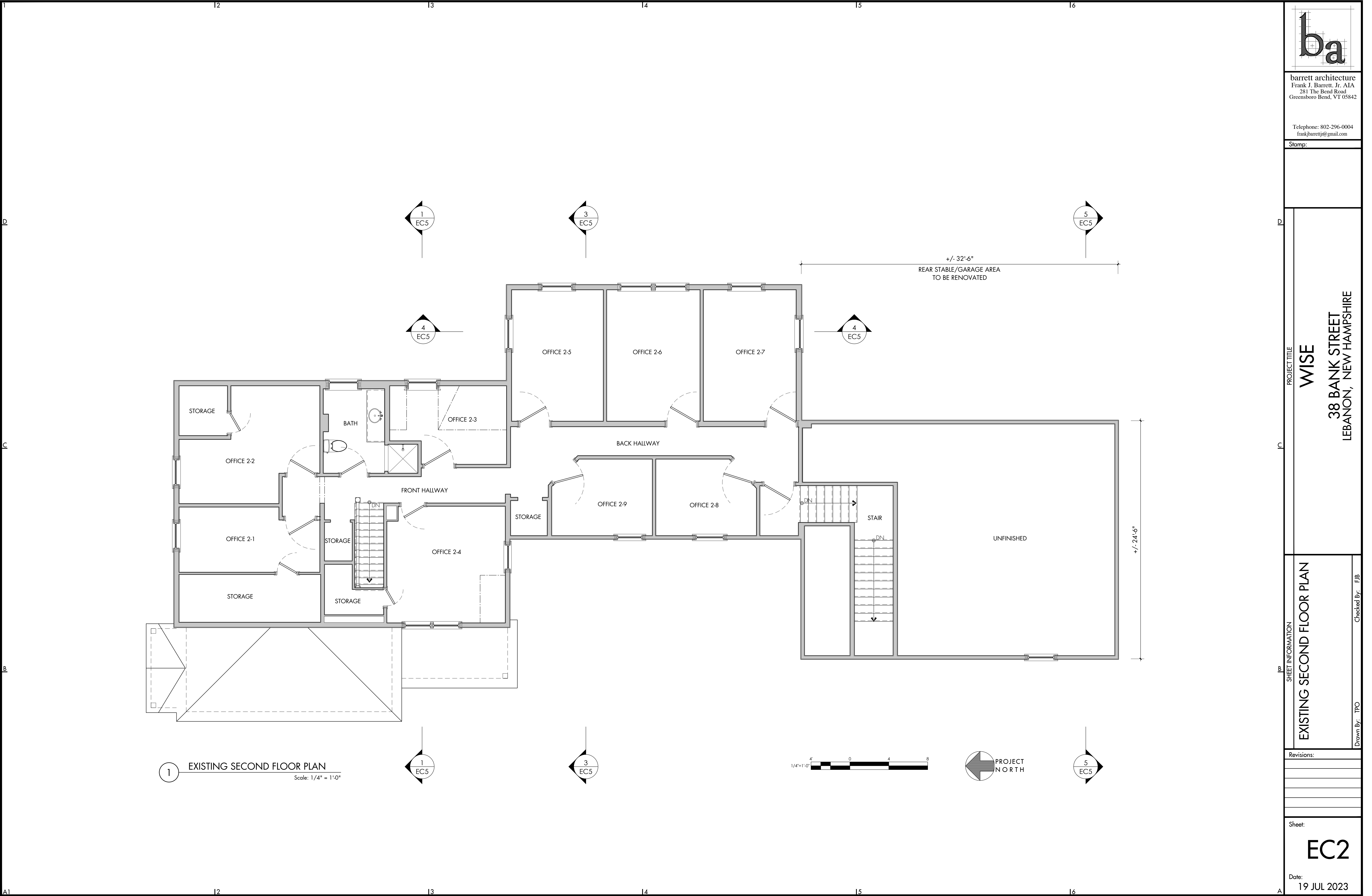
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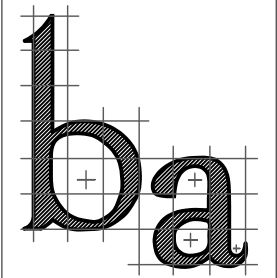
Sheet:

EC1

Date:

19 JUL 2023





barrett architecture
Frank J. Barrett, Jr., AIA
281 The Bend Road
Greensboro Bend, VT 05842

Telephone: 802-296-0004
frankjbarrettjr@gmail.com

Stamp:

PROJECT TITLE

WISE

38 BANK STREET

LEBANON, NEW HAMPSHIRE

SHEET INFORMATION

EXISTING SECOND FLOOR PLAN

Drawn By: TPO Checked By: FJB

Revisions:

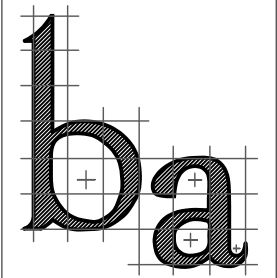
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EC2

Date:

19 JUL 2023





barrett architecture
Frank J. Barrett, Jr., AIA
281 The Bend Road
Greensboro Bend, VT 05842

Telephone: 802-296-0004
frankjbarrettjr@gmail.com

Stamp:

PROJECT TITLE

WISE

38 BANK STREET

LEBANON, NEW HAMPSHIRE

SHEET INFORMATION

EXISTING ELEVATIONS

Drawn By: TPO Checked By: FJB

Revisions:

Sheet:

EC3

Date:

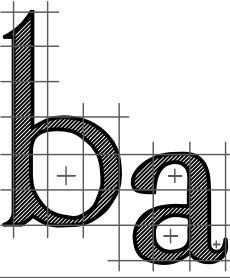
19 JUL 2023



1 EXISTING SOUTH ELEVATION
Scale: 1/4" = 1'-0"



2 EXISTING EAST ELEVATION
Scale: 1/4" = 1'-0"



barrett architecture
Frank J. Barrett, Jr., AIA
281 The Bend Road
Greensboro Bend, VT 05842

Telephone: 802-296-0004
frankjbarrettjr@gmail.com

Stamp:

PROJECT TITLE
WISE
38 BANK STREET
LEBANON, NEW HAMPSHIRE

SHEET INFORMATION
EXISTING ELEVATIONS

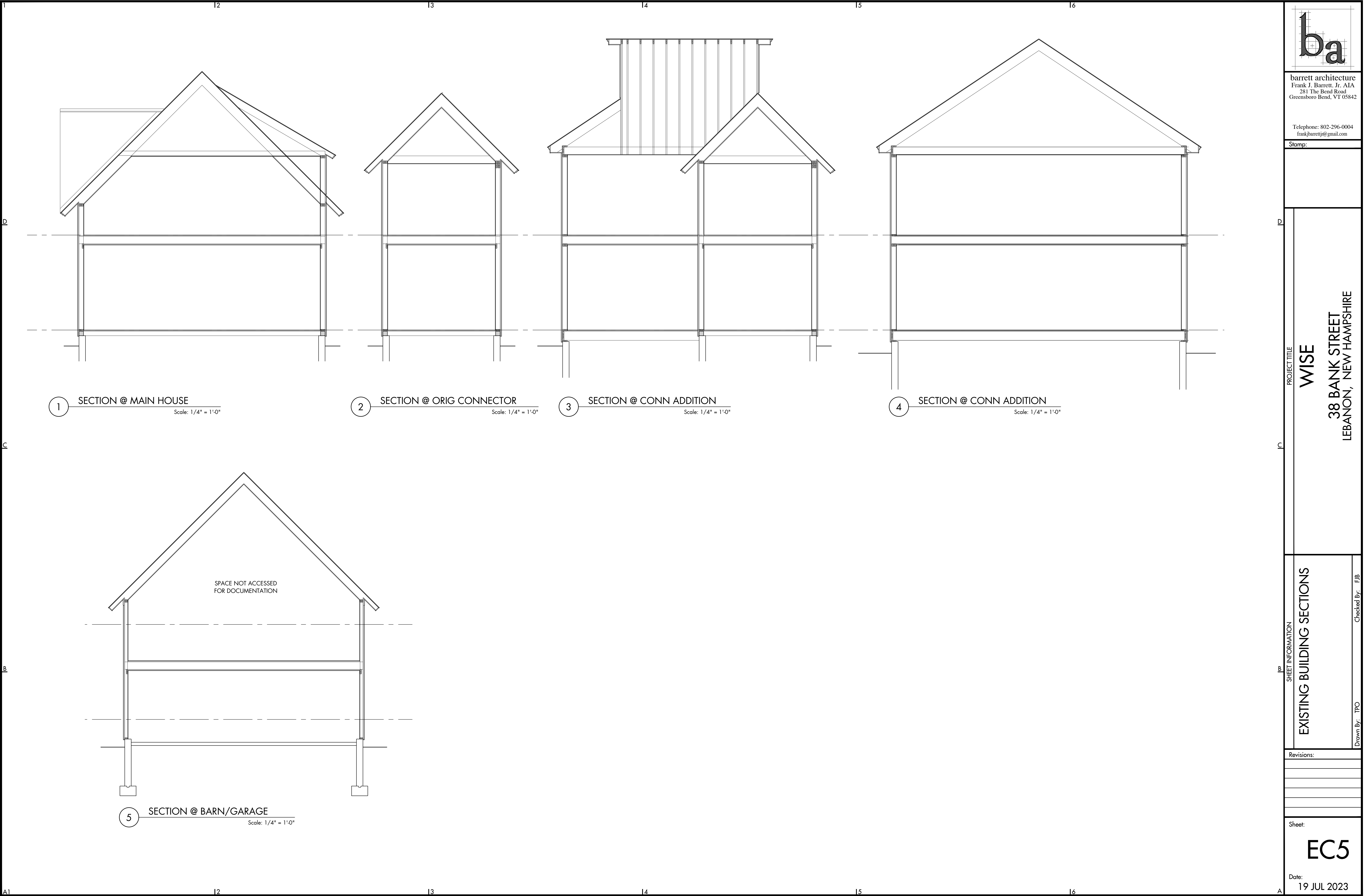
Drawn By: TFO
Checked By: FJB

Revisions:

Sheet:

EC4

Date:
19 JUL 2023



barrett architecture
Frank J. Barrett, Jr., AIA
281 The Bend Road
Greensboro Bend, VT 05842

Telephone: 802-296-0004
frankjbarrettjr@gmail.com

Stamp:

PROJECT TITLE

WISE
38 BANK STREET
LEBANON, NEW HAMPSHIRE

SHEET INFORMATION

EXISTING BUILDING SECTIONS

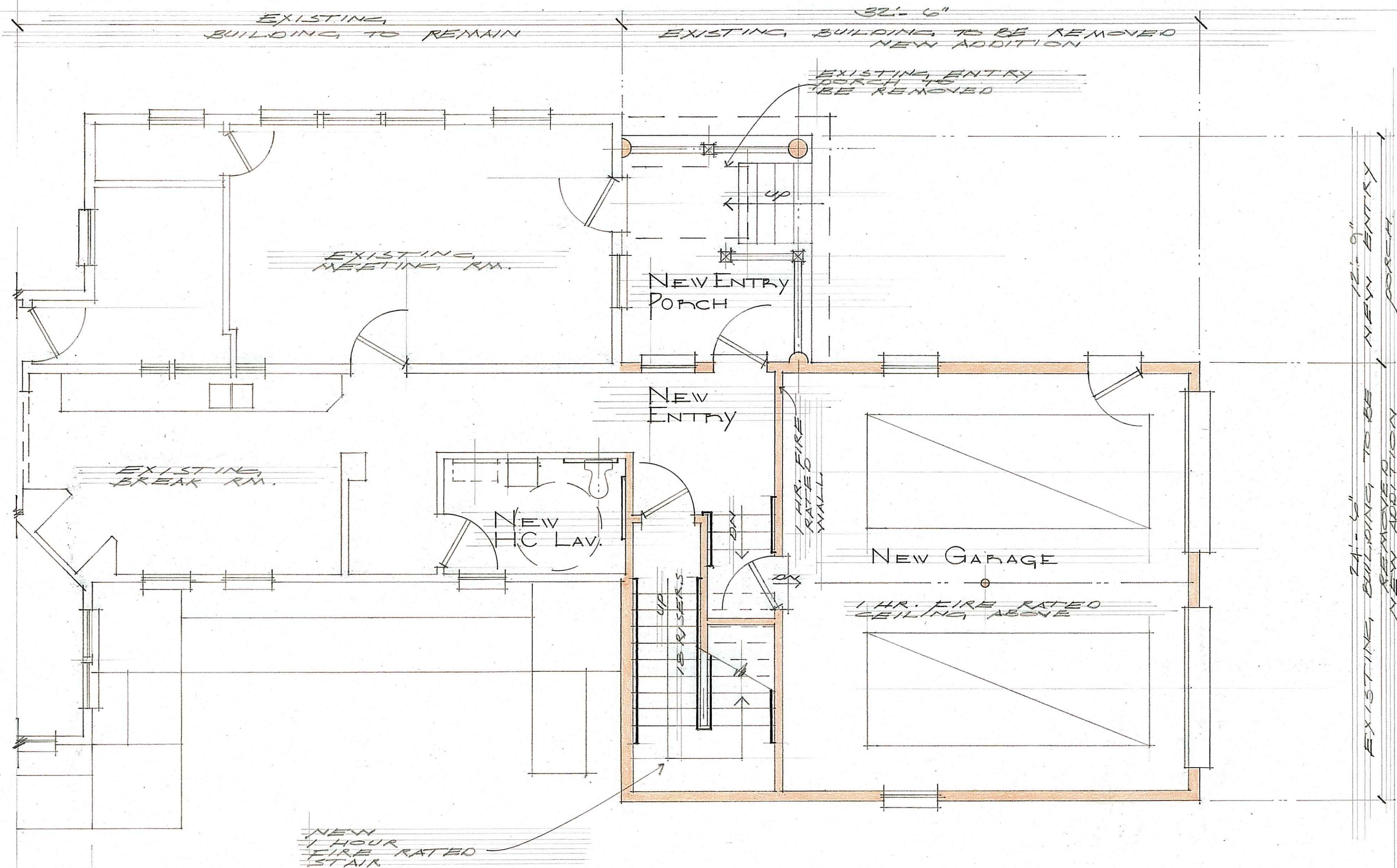
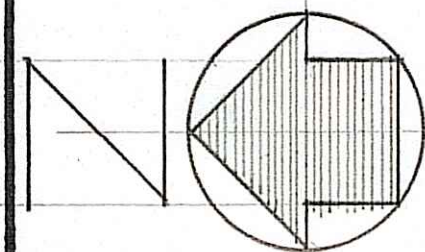
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Checked By: FJB

Revisions:

Sheet:

EC5

Date:
19 JUL 2023



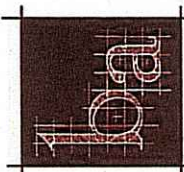
PROPOSED ADDITION - FIRST FLOOR PLAN.

SCALE: 1/4"=1'-0"

PROPOSED ADDITION TO

WISE, INC.

LEDANON, NEW HAMPSHIRE



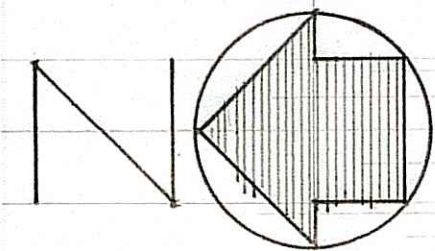
barrett architecture

FRANK J. BARRETT, JR., AIA

281 The Bend Road ■ Greensboro Bend ■ Vt 05842
(802) 296-0004 ■ frankjbarrettjr@gmail.com

DATE:
OCT. 11, 23
REVISED:

1 OF 4



SCALE: $1/4" = 1' = 0"$

2 OF 4



• EAST (SIDE) ELEVATION •

SCALE: 1/4" = 1'-0"

PROPOSED ADDITION TO

WISE, INC.

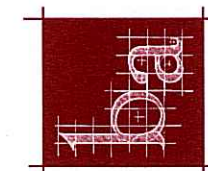
LEBANON, NEW HAMPSHIRE

barrett architecture

FRANK J. BARRETT, JR., AIA

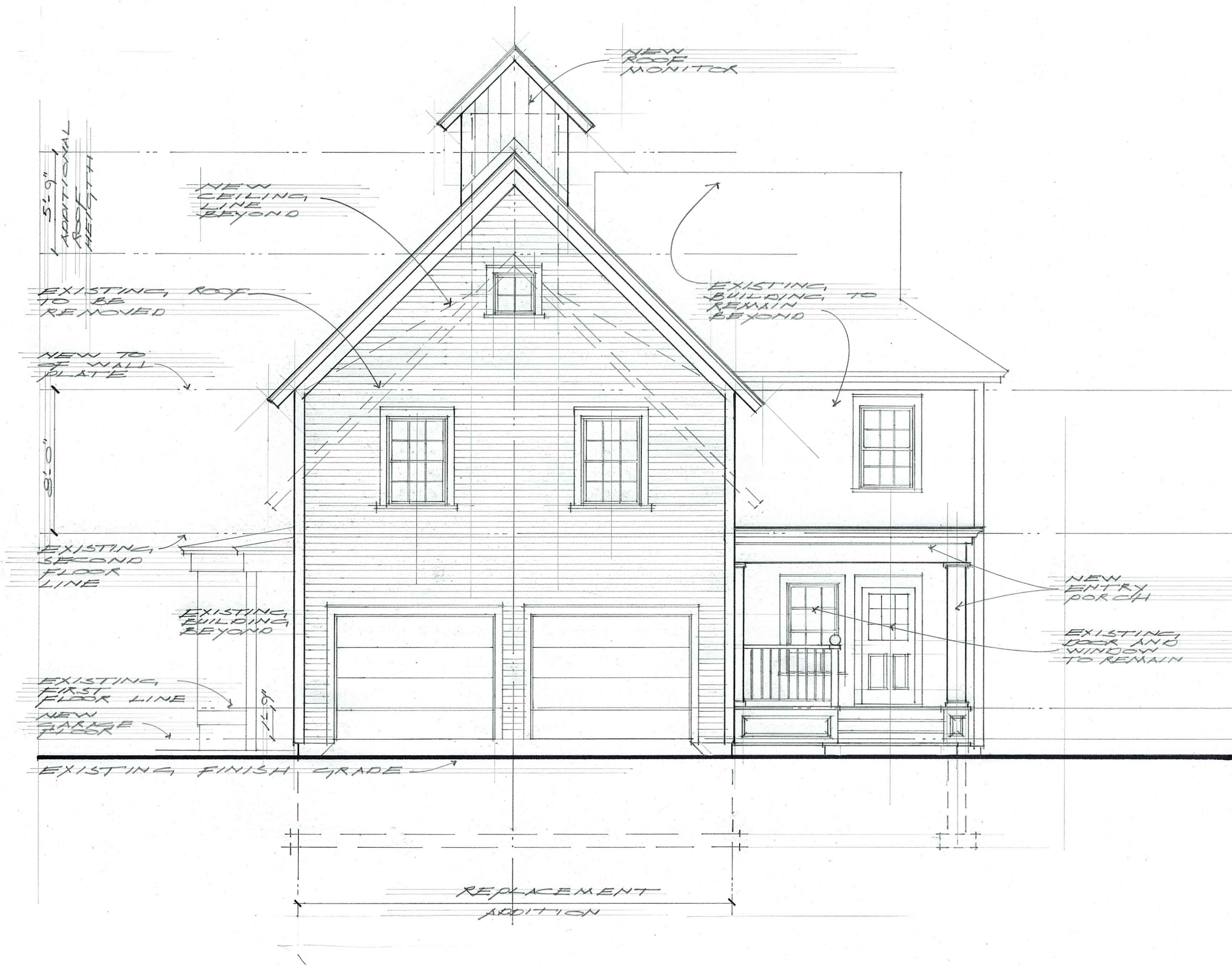
281 The Bend Road • Greensboro Bend • VT 05842

(802) 296-0004 • frankjbarrettjr@gmail.com



DATE: MAY 27, '24
REVISED:

3 OF 4



• SOUTH (REAR) ELEVATION •

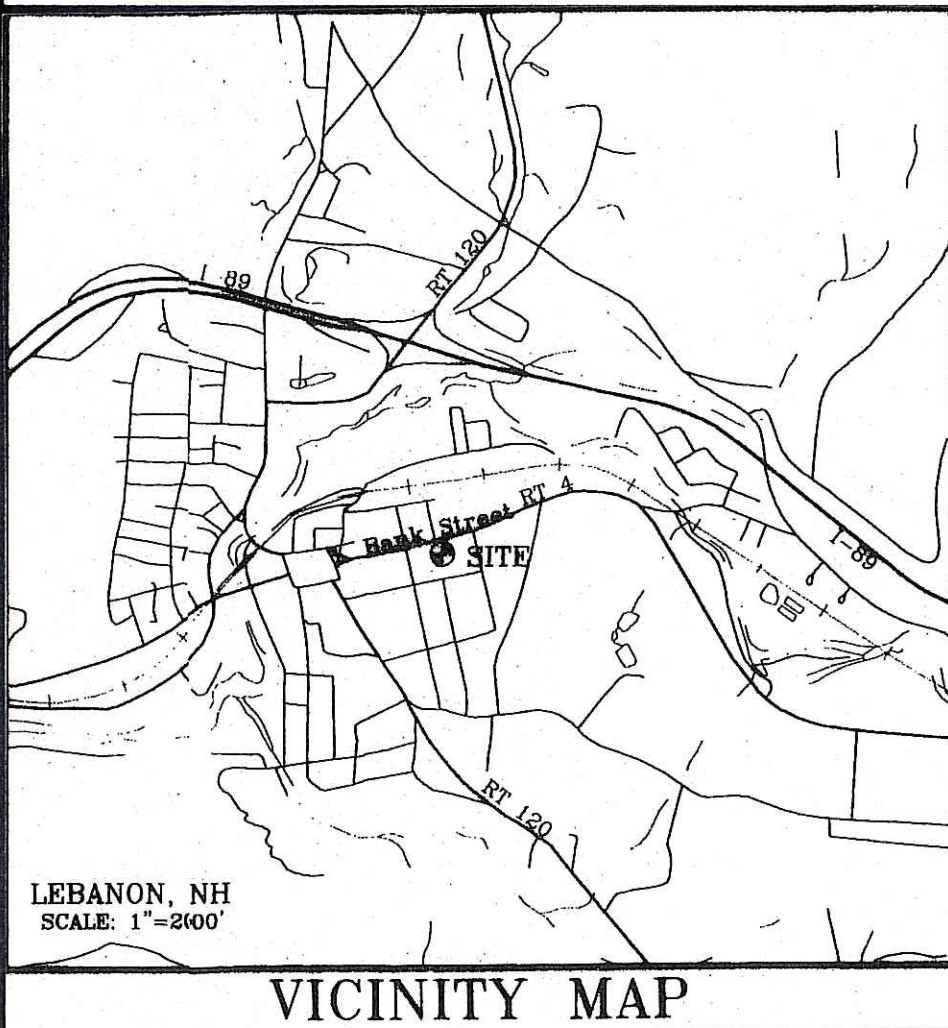
SCALE: 1/4"=1'0"

PROPOSED ADDITION TO
WISSE, INC.
 LEBANON, NEW HAMPSHIRE

barrett architecture
 FRANK J. BARRETT, JR., AIA.
 281 The Bend Road ■ Greensboro Bend ■ Vt 05842
 (802) 296-0004 ■ frankjbarrettjr@gmail.com

DATE:
 MAY 27, '24
 REVISED:

4 of 4

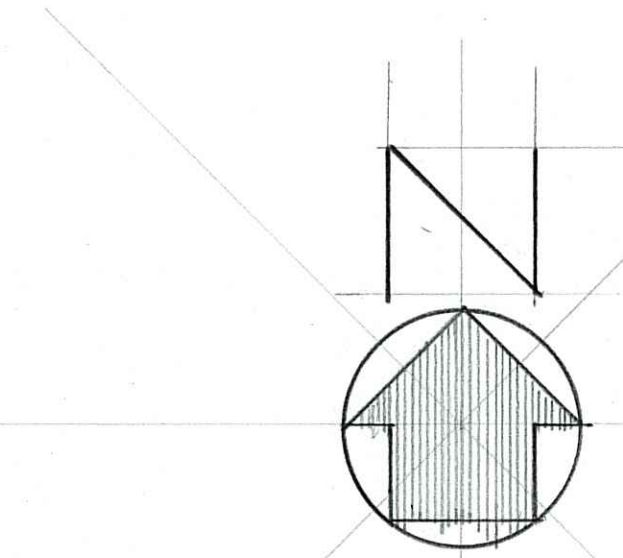
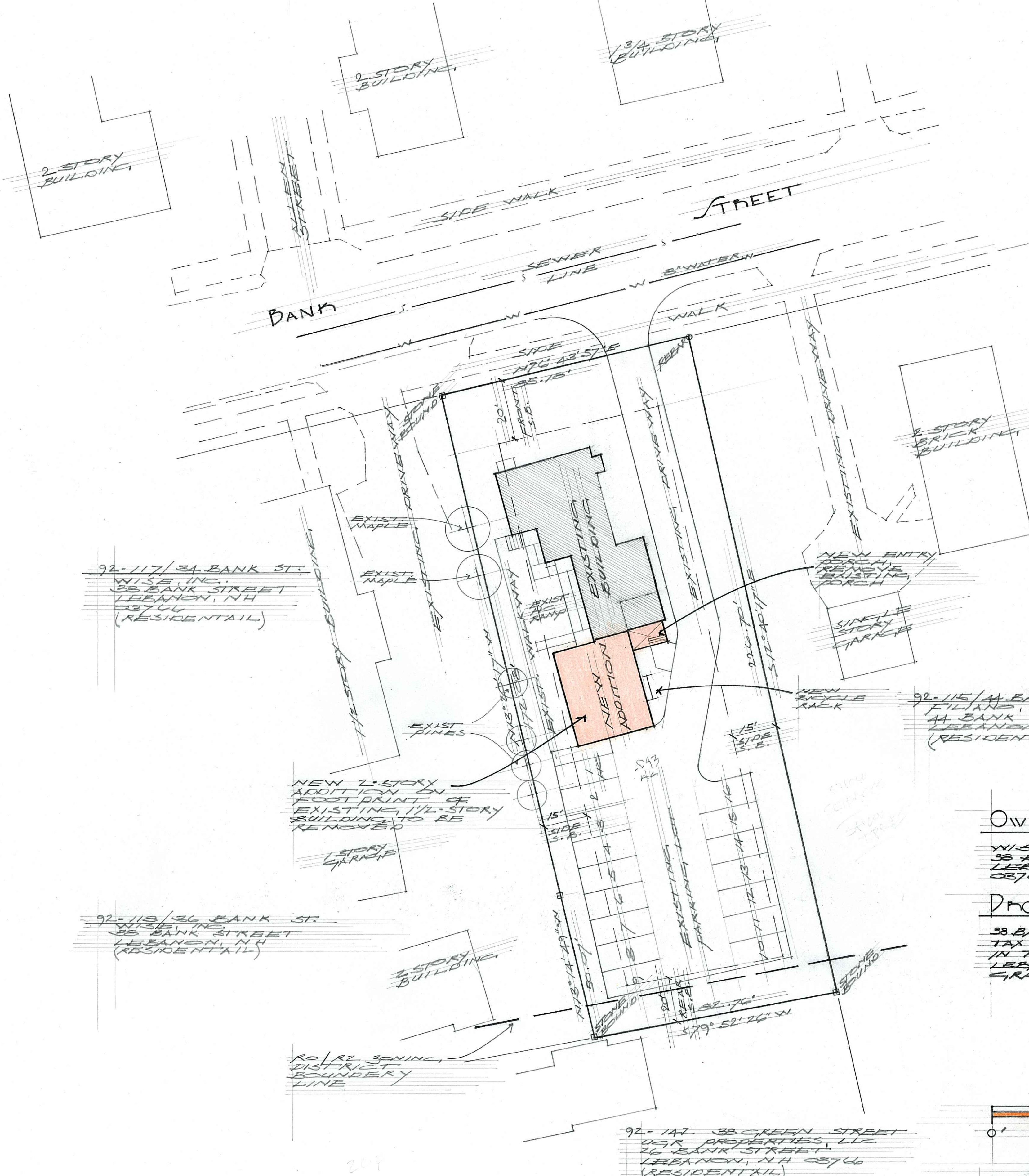


VICINITY MAP

92-74/33 BANK STREET
DCF ALLEN, LLC
32 MAIN STREET
WEST LEBANON, NH
03784
(RESIDENTIAL)

92-75/37 BANK STREET
ROZAK, LISA A.
486 CANAAN ST
CANAAN, NH
03741
(RESIDENTIAL)

92-76/41 BANK STREET
CARPENTER, ROBIN
41 BANK STREET
LEBANON, NH
03766
(RESIDENTIAL)



Notes:

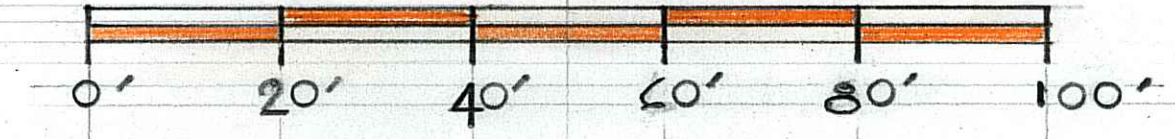
- This drawing is based upon the following:
 - Drawing titled: "Boundary Survey of 38 Bank Street in Lebanon, Grafton County New Hampshire for Woman's Information Service of the Upper Valley"; prepared by Bruno Associates Inc. P.C. Engineers, Planners, Surveyors; Woodstock, Vermont; dates 09/28/06.
 - Drawing titled: "Site Plan For Wise of the Upper Valley Inc. Bank Street - Lebanon, New Hampshire"; prepared by Pathways Consulting, LLC; 3 Schoolhouse Lane; P.O. Box 600; Etna, New Hampshire 03750; dated 12/11/06.
 - Drawing titled: "Plan of Lands Owned by Women's Information Service, Inc. 34 and 36 Bank Street Lebanon, New Hampshire"; prepared by Wayne McCutcheon Associates, Inc 492 Washington Street Claremont, New Hampshire; dated December 29, 2020.
- Lot Coverage:
 - The existing lot is 0.43 acres. The existing lot coverage is 2,523 square feet, which equals 13-percent. This proposed replacement addition does not change the percentage of lot coverage.
- Building Square Foot Areas:
 - Existing Building:
 - First Floor = 2,523 gross square feet.
 - Second Floor = 1,690 gross square feet.
 - Proposed Building:
 - First Floor = 2,523 gross square feet.
 - Second Floor = 2,266 gross square feet.

OWNER OF RECORD

WISE, INC.
38 BANK STREET
LEBANON, NH
03766

PROPERTY LOCATION

38 BANK STREET
TAX MAP 92, LOT 116
IN THE ROYAL DISTRICT
LEBANON, NEW HAMPSHIRE
GRAFTON COUNTY



SITE PLAN

SCALE: 1" = 20'

NEW ADDITION TO
WISE, INC.
LEBANON, NEW HAMPSHIRE

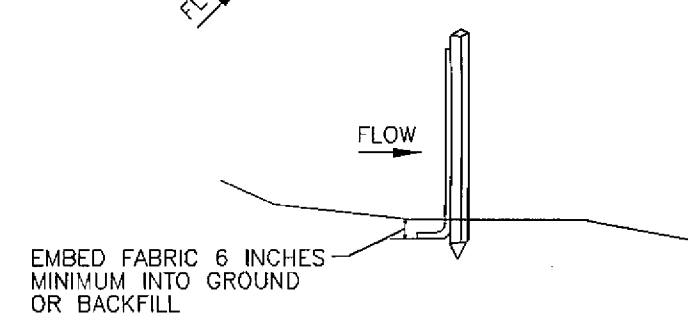
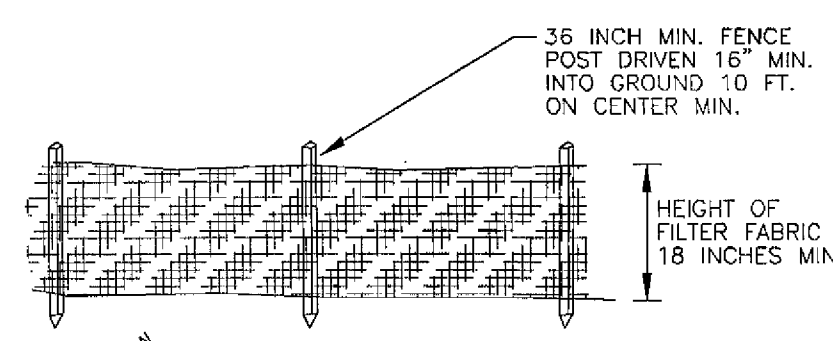
barrett architecture
FRANK J. BARRETT, JR., AIA
281 The Bend Road • Greenboro Bend • VT 05842
(802) 296-0004 • frank@barrettjr.com

DATE:
MAY 6, '24
REVISED:

1 OF 1

GENERAL NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF LEBANON CONSTRUCTION STANDARDS AND SPECIFICATIONS.
2. LOCATION AND SIZE OF EXISTING PIPES AND OTHER UNDERGROUND UTILITIES ARE NOT WARRANTED TO BE EXACT OR COMPLETE.
3. EXPLORATORY EXCAVATION SHALL BE REQUIRED TO VERIFY LOCATION AND SIZE OF EXISTING UTILITIES AND APPURTENANCES.
4. TOPOGRAPHY HAS BEEN COMPILED BY BRUNO ASSOCIATES INC. P.C. BASE DATUM IS UGVD 1929.
5. CONTRACTOR SHALL VERIFY LOCATION OF EXISTING ELECTRIC, CABLE TELEVISION AND TELEPHONE UTILITIES PRIOR TO COMMENCEMENT OF WORK. DIG SAFE SHALL BE NOTIFIED AT LEAST 3 WORKING DAYS PRIOR TO ANY WORK.
6. CITY OF LEBANON PUBLIC WORKS PERSONNEL SHALL BE NOTIFIED A MINIMUM OF 48 HOURS PRIOR TO ANY UTILITY CONSTRUCTION. UTILITY CONSTRUCTION MAY ONLY BEGIN AFTER AUTHORIZATION FROM PUBLIC WORKS PERSONNEL.
7. THE ENGINEER SHALL BE NOTIFIED PRIOR TO CONSTRUCTION IF THERE ARE ANY DISCREPANCIES IN PLANS OR EXISTING DATA. CONSTRUCTION SHALL NOT PROCEED WITHOUT WRITTEN PERMISSION FROM THE ENGINEER.
8. ALL EROSION CONTROL FACILITIES SHALL BE MAINTAINED AS OFTEN AS REQUIRED BY WEATHER CONDITIONS.
9. DITCHES AND OTHER RUNOFF COLLECTION AREAS SHALL BE MAINTAINED BOTH DURING AND AFTER CONSTRUCTION TO ENSURE THE PROPER REMOVAL OF SEDIMENT.
10. ALL SLOPES GREATER THAN 3:1 (3 HORIZONTAL TO 1 VERTICAL) SHALL BE STABILIZED USING MULCH NETTING. ADDITIONAL STABILIZATION MEASURES NECESSARY SHALL BE IMPLEMENTED AS REQUIRED.
11. CONTRACTOR SHALL ERECT AND MAINTAIN CONSTRUCTION FENCING TO PROTECT VEGETATED AREAS TO REMAIN UNDISTURBED.
12. DETAILS FOR FOUNDATION DRAINS AND THEIR ASSOCIATED CONNECTIONS TO THE STORM DRAIN SYSTEM WILL BE PROVIDED BY OTHERS.
13. NEW WORK IDENTIFIED BY []

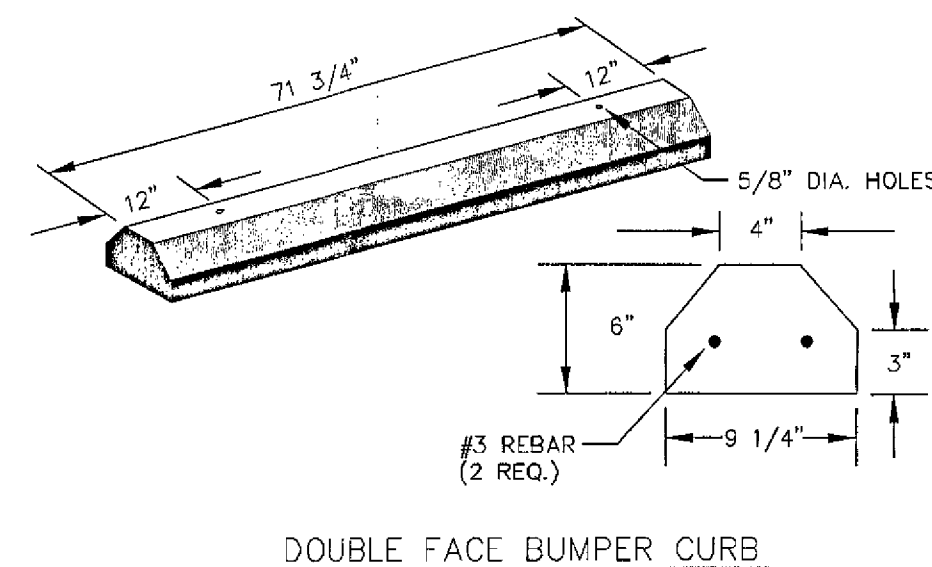
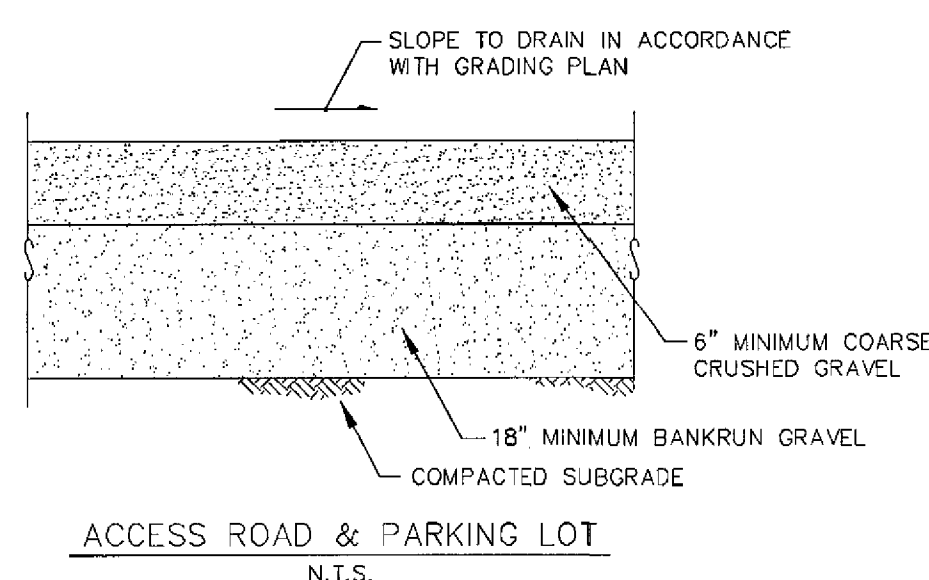


CONSTRUCTION SPECIFICATIONS

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 TIED 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.



DOUBLE FACE BUMPER CURB

N.T.S.

LEGEND:

- EXISTING IRON PIPE
- UTILITY POLE
- EXISTING SEWER & MANHOLE
- EXISTING WATER LINE W/ HYDRANT
- EDGE OF WOODS
- OVERHEAD ELECTRIC & TELEPHONE
- DIRECTIONAL FLOW ARROW
- EXISTING SIGN
- EXISTING HARDWOOD
- EXISTING SOFTWOOD

MICHAEL J. WEINS
31 BANK STREET
LEBANON, NEW HAMPSHIRE 03768
(RESIDENTIAL)

37 BANK STREET ASSOCIATES, LLC
37 BANK STREET
LEBANON, NEW HAMPSHIRE 03768
(RESIDENTIAL)

GERALDINE V. POTTER
96 COTTAGE STREET
LITTLETON, NEW HAMPSHIRE 03561
(RESIDENTIAL)

GORDAN E. BAGLEY, JR.
POST OFFICE BOX 1157
LEBANON, NEW HAMPSHIRE 03768
(RESIDENTIAL)

MICHAEL MADAR
36 BANK STREET
LEBANON, NEW HAMPSHIRE 03768
(RESIDENTIAL)

MBJK LIMITED PARTNERSHIP
% LEO J. BABINEAU
66 SUNSET ROCK ROAD
LEBANON, NEW HAMPSHIRE 03766
(RESIDENTIAL)

JAMES & CATHERINE FILIANO
44 BANK STREET
LEBANON, NEW HAMPSHIRE 03768
(RESIDENTIAL)

SITE INFORMATION

MAP & LOT NUMBER:	MAP 92 LOT 116
ZONING DISTRICT:	RESIDENTIAL - OFFICE DISTRICT (R0)
GROSS AREA OF BUILDING:	3,775 SQ. FT.
AREA OF LOT:	18,833 SQ. FT. (0.43 ACRES)
LOT COVERAGE (BUILDING):	ALLOWED 25% EXISTING 12.9%
COVERAGE (IMPERMEABLE COVERAGE, UNPAVED PARKING & DRIVEWAY AREA):	ALLOWED 65% PROPOSED 55%
IMPERVIOUS AREA:	2,336 SQ. FT. (23.5%)
NUMBER OF STORIES:	1 1/2 STORIES
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	OFFICE
PARKING SPACES:	REQUIRED 15 SPACES PROPOSED 16 SPACES
BUILDING HEIGHT:	<45'
BUILDING SETBACKS:	REQUIRED 20' EXISTING 28.5'
FRONT	15'
SIDE	11.5'
REAR	20'
WETLANDS CONSERVATION DISTRICT/FLOODPLAIN DISTRICT:	THE SITE IS NOT LOCATED WITHIN THE WETLANDS CONSERVATION/FLOODPLAIN DISTRICT
AIR SAFETY REGULATIONS:	SECTION 407, AIR SAFETY REGULATIONS OF THE ZONING ORDINANCE DOES NOT APPLY TO THE SITE.

PATHWAYS CONSULTING, LLC IS NOT AWARE OF ANY CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTIONS ON ADJUTING PARCELS.

INDEX OF SHEETS

SHEET 1 OF 4	-	SITE PLAN
SHEET 2 OF 4	-	LANDSCAPE & LIGHTING PLAN
SHEET 3 OF 4	-	LANDSCAPE & LIGHTING DETAILS
SHEET 4 OF 4	-	SURVEY PLAN

DEPARTMENT OF PLANNING
FILE COPY

FINAL DRAWING AS REVISED

PER PLANNING BOARD APPROVAL

ON Jan 8, 2007

BY [Signature] DATE May 7, 2007

[Signature] Assoc. Planner

RECORD OWNER & APPLICANT: WOMEN'S INFORMATION SERVICE
MAP 92 LOT 116
WISE OF THE UPPER VALLEY, INC.
38 BANK STREET
LEBANON, NEW HAMPSHIRE 03768

REV. NO.	DATE	DESCRIPTION	MADE BY	CHKD BY	APP'D BY
03/19/07		PLANNING BOARD CONDITIONS OF APPROVAL	PAB	PAB	
12/26/06		STAFF REVIEW COMMENTS	PAB	PAB	
1					

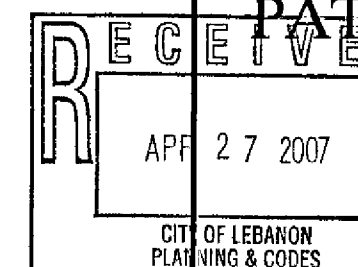
SITE PLAN FOR
WISE OF THE
UPPER VALLEY, INC.

BANK STREET - LEBANON, NEW HAMPSHIRE

1

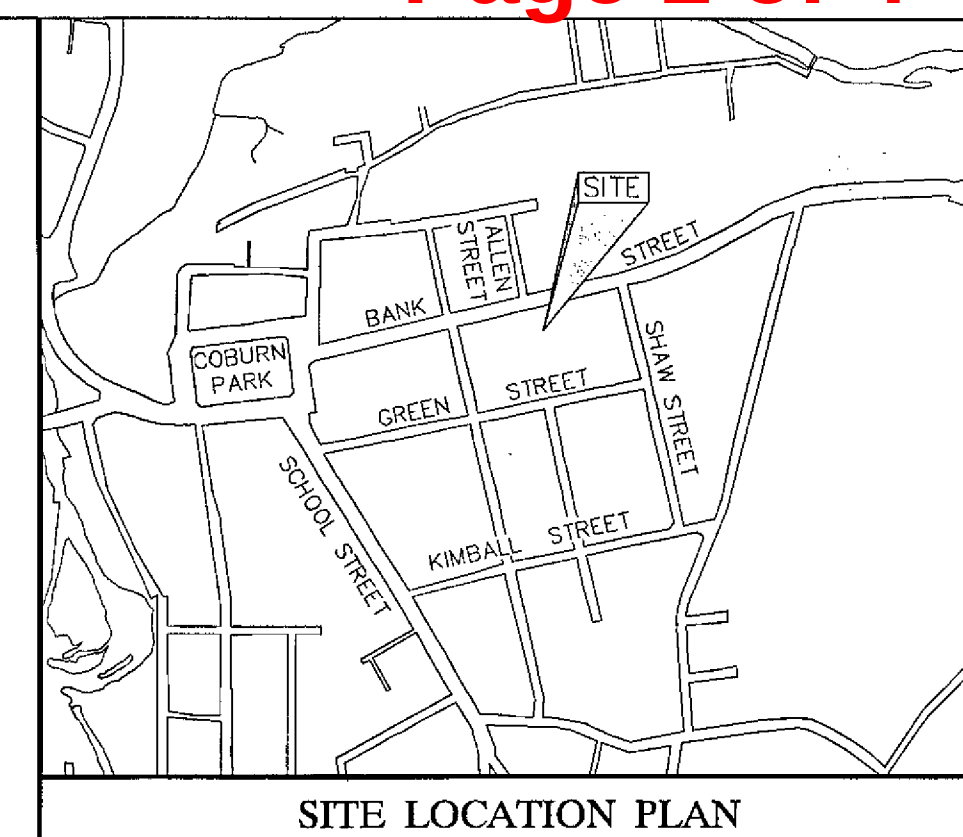
PATHWAYS CONSULTING, LLC

SCHOOLHOUSE LANE, P.O. BOX 600
ETNA, NEW HAMPSHIRE 03750
(603) 643-3511



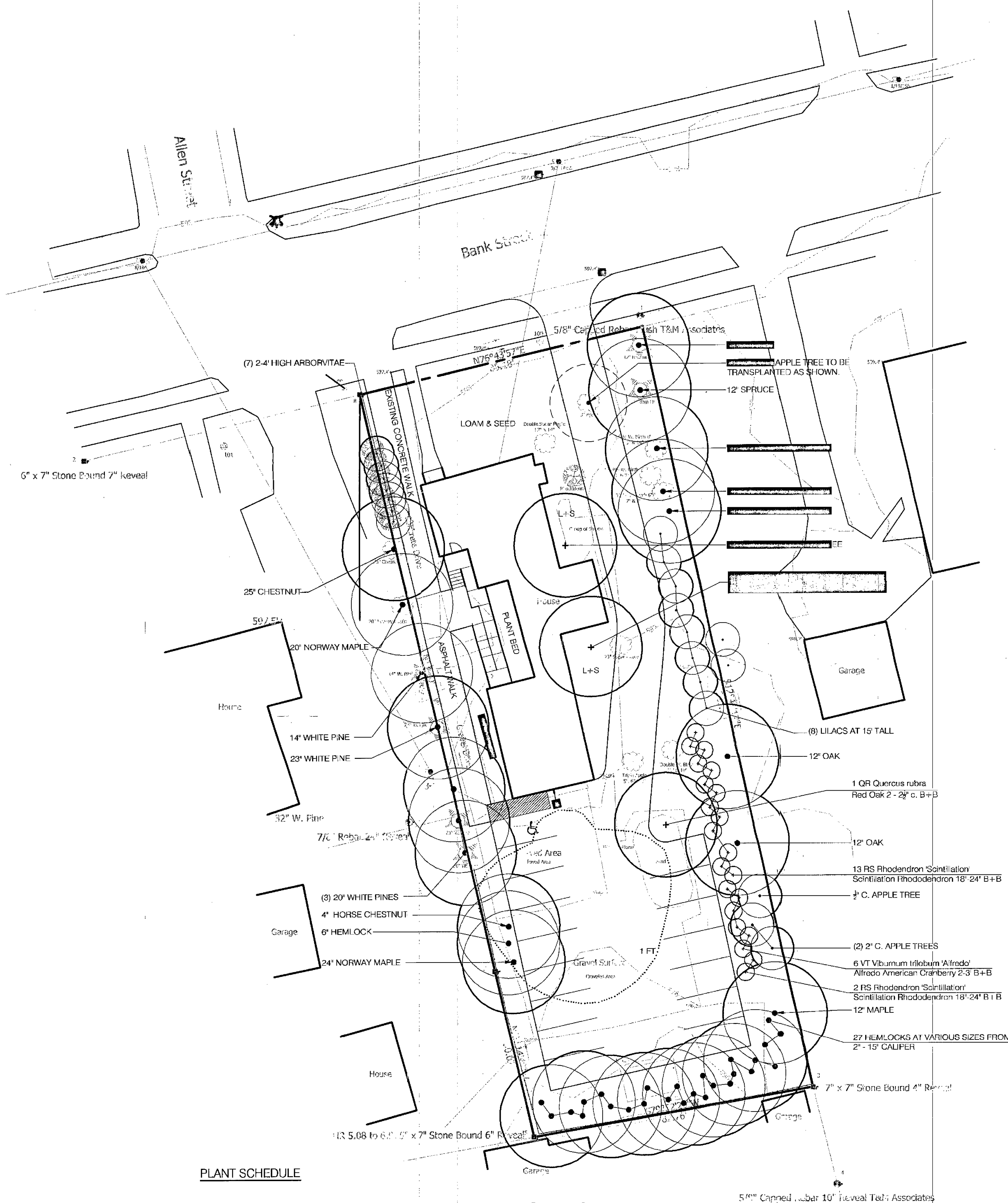
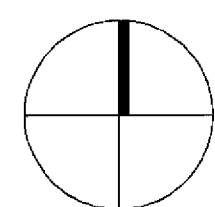
REFERENCE IS MADE TO A PLAN PREPARED BY BRUNO ASSOCIATES INC. P.C. ENTITLED "BOUNDARY SURVEY OF 38 BANK STREET IN LEBANON, CRAFTON COUNTY, NEW HAMPSHIRE FOR WOMAN'S INFORMATION SERVICE OF THE UPPER VALLEY," DATED 09/29/06, DRAWING NO. 06115-B0.

I HEREBY CERTIFY TO THE BEST OF MY BELIEF AND KNOWLEDGE THAT THE BOUNDARY LINES SHOWN ARE CORRECT. BOUNDARY LINES WERE TAKEN FROM THE EXISTING PLAN AS NOTED AND DO NOT MEET THE CURRENT NEW HAMPSHIRE STANDARDS FOR BOUNDARY SURVEYS. THIS PLAN SHOULD NOT BE USED FOR LEGAL CONVEYANCES.



SITE LOCATION PLAN

PER REFERENCED PLAN



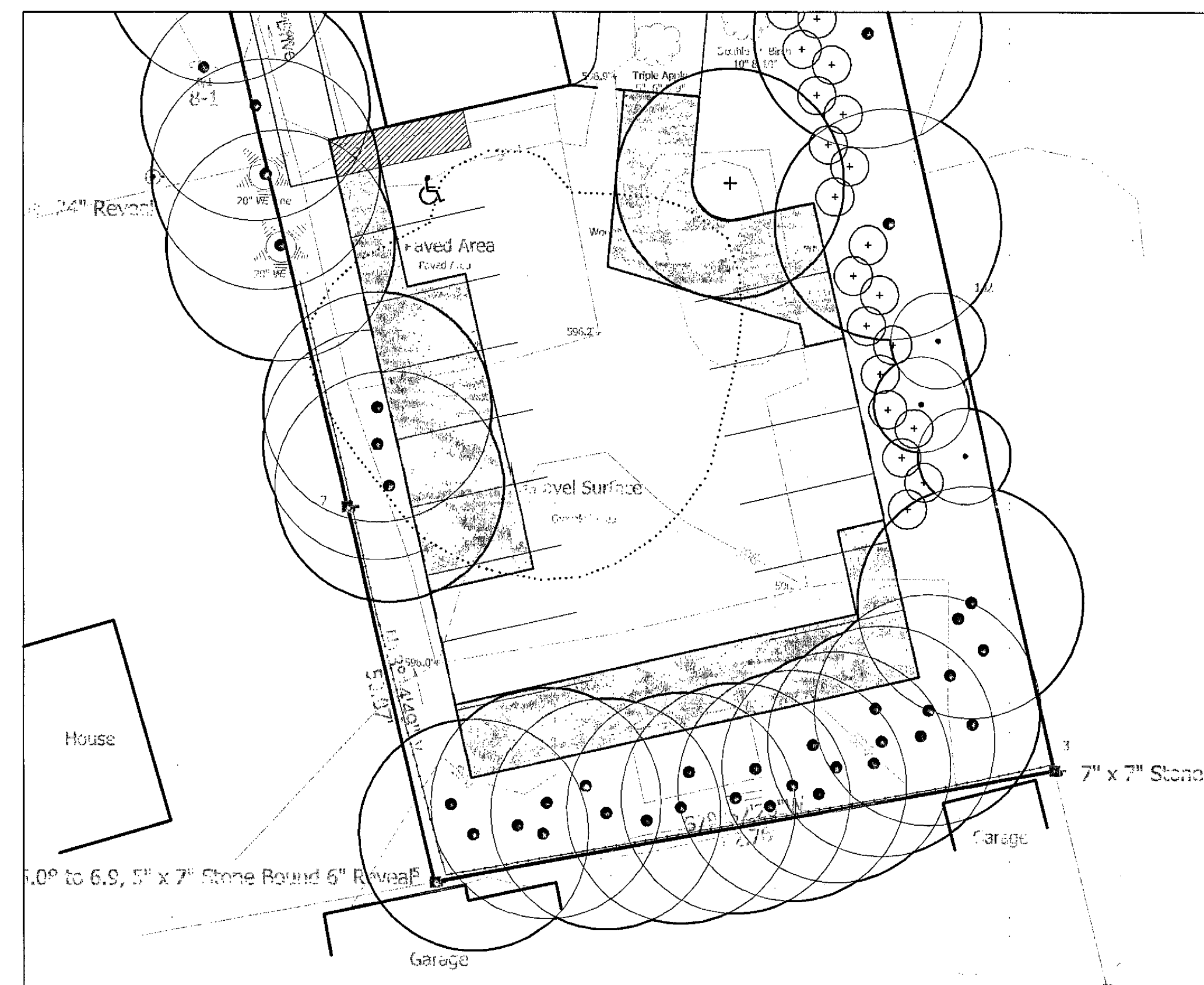
PLANT SCHEDULE

Key	Qty.	Scientific Name	Common Name	Size	Root	Comments
Trees						
AT	1	Apple tree		18-24/3 gal.	B+B	transpar
MT	1	Morus transitoria 'Schmidtcutae'	Golden Raindrops Crabapple	2 - 2 1/2" c.	B+B	
QR	1	Quercus rubra	Red Oak	2 - 2 1/2" c.	B+B	
Shrubs						
RS	15	Rhododendron 'Schittlaton'	Scintillation Rhododendron	18-24"	B+B	
VT	6	Viburnum trilobum 'Alfred'	Alfred American Cranberry	2-3'	B+B	

REVISION NO.	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY

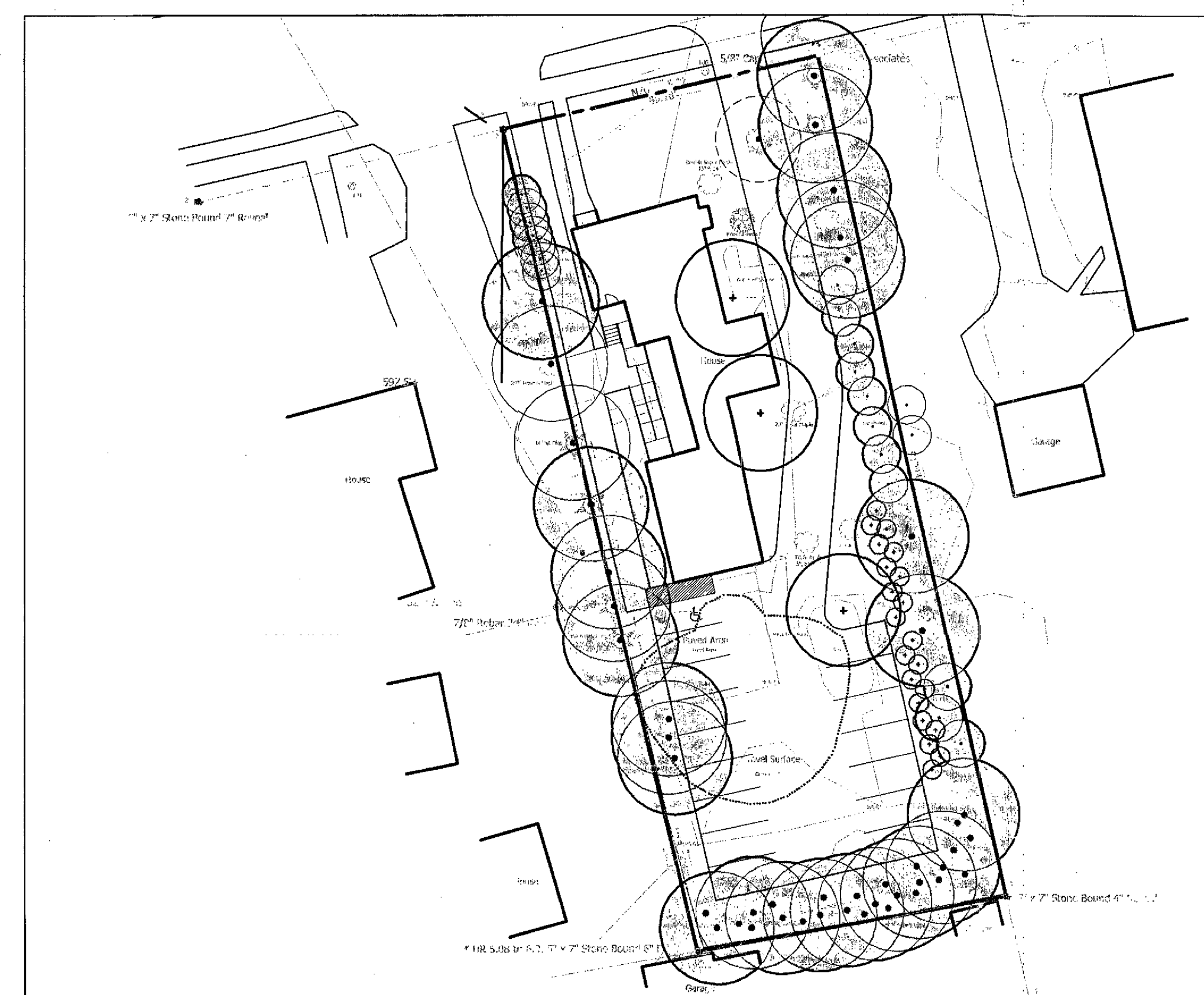
LANDSCAPE & LIGHTING PLAN FOR
WISE OF THE UPPER VALLEY, INC.
BANK STREET, LEBANON, NH

Scale: NTS



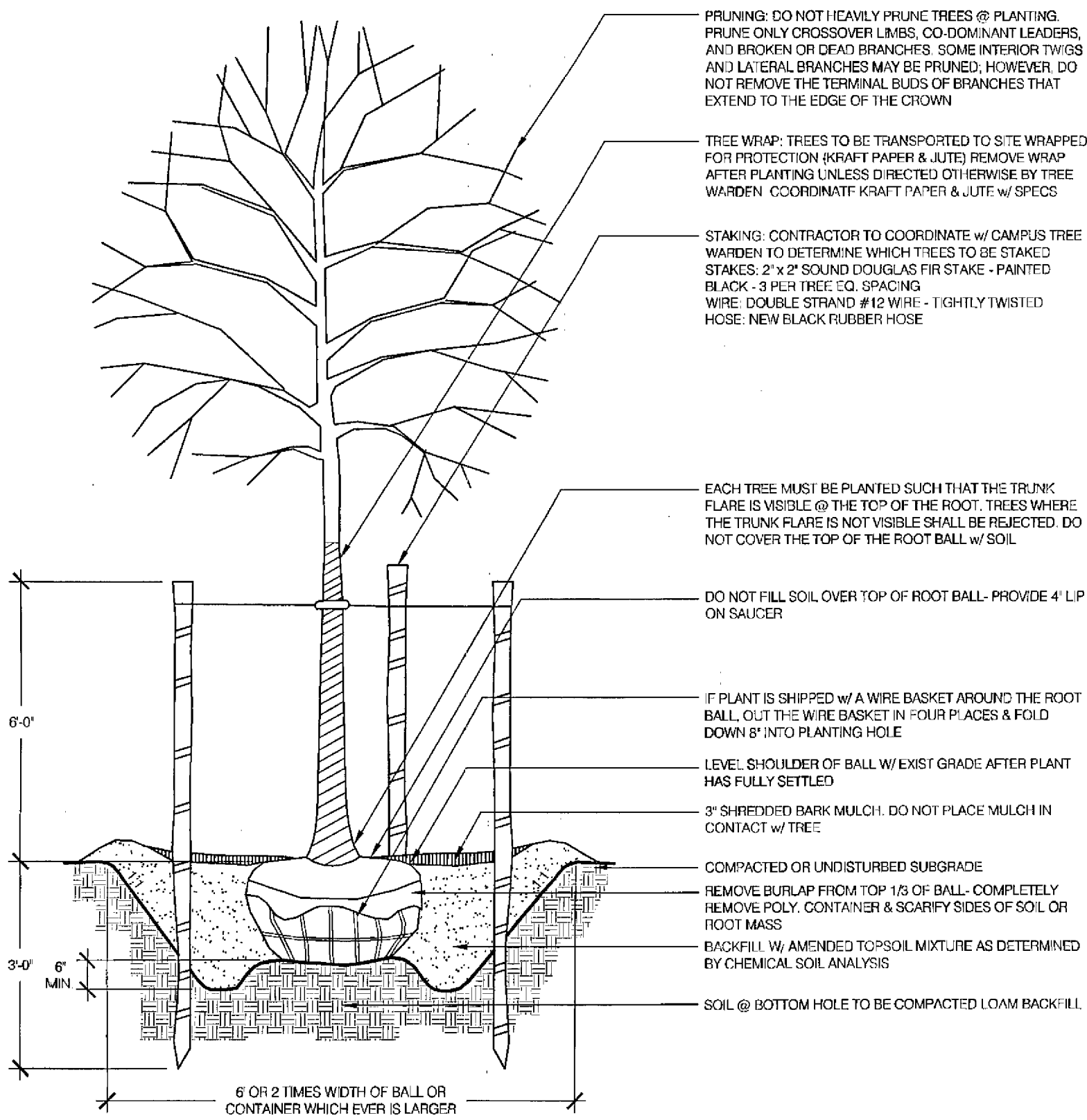
Interior Landscape:

Total Lot Area:	4,773 SF
30% Shade Required:	1,431 SF
37% Shade Provided	1,810 SF



Perimeter Landscape:
Perimeter Area of Site: 9,255 SF
Trees Required: 15
Trees Provided: 45 (45 existing) (0 proposed)

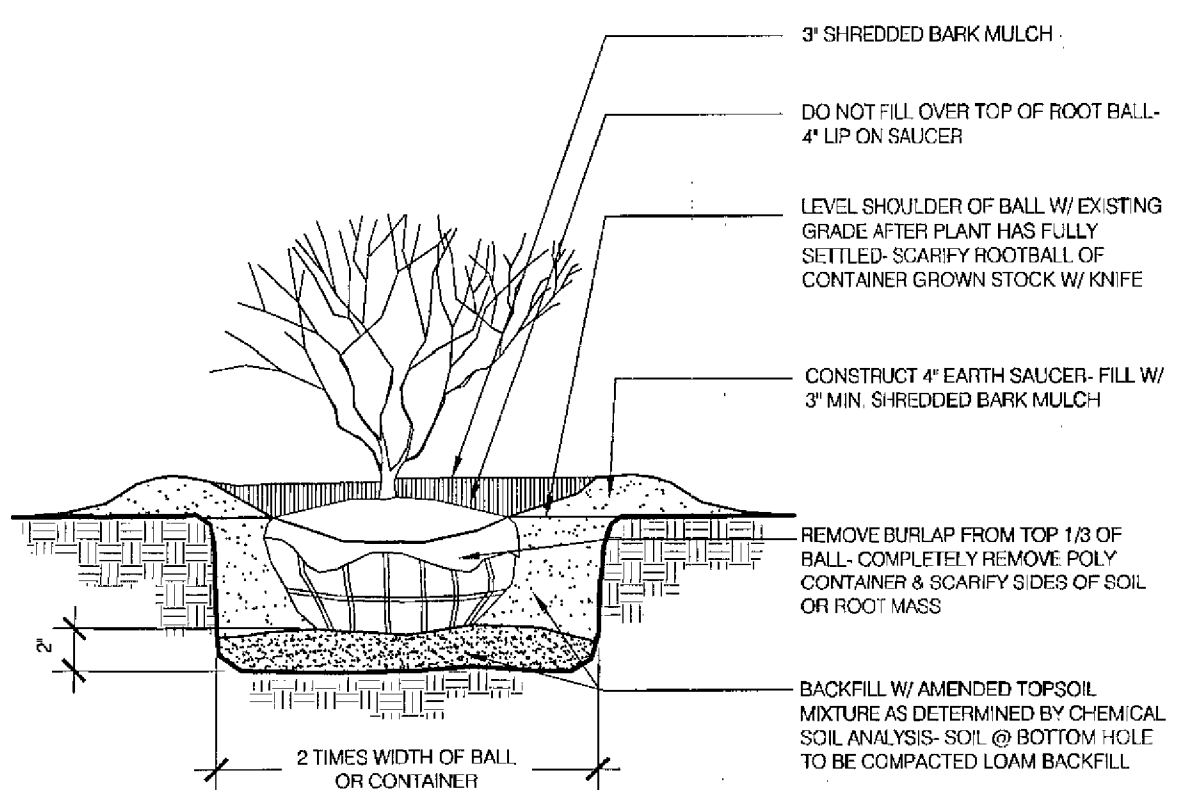
Shrubs / Understory trees required: 61
Shrubs / Understory trees provided: 36 (15 existing) (21 proposed)



03.19.07 PLANNING BOARD CONDITION OF APPROVAL CAW CAW CAW

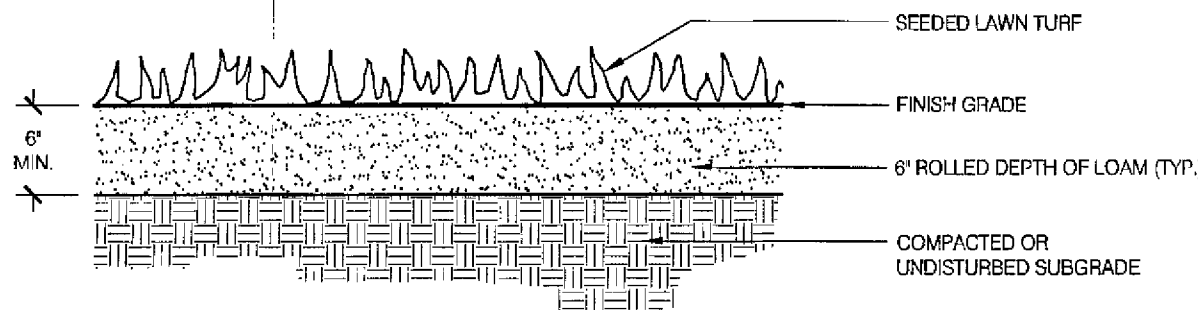
TYPICAL DECIDUOUS TREE PLANTING DETAIL

SCALE: 1/2" = 1'-0"



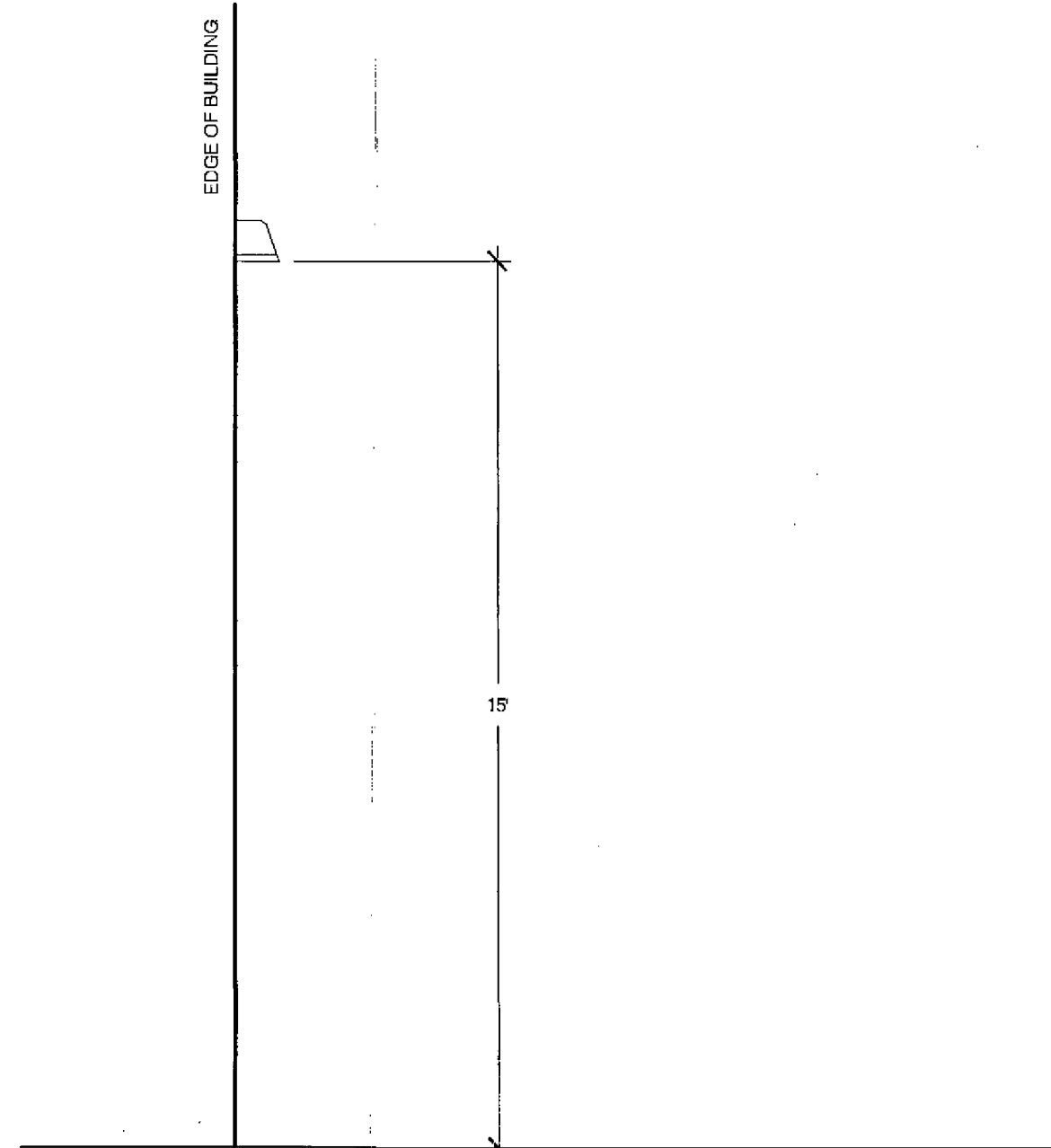
TYPICAL SHRUB PLANTING DETAIL

SCALE: 1/2" = 1'-0"



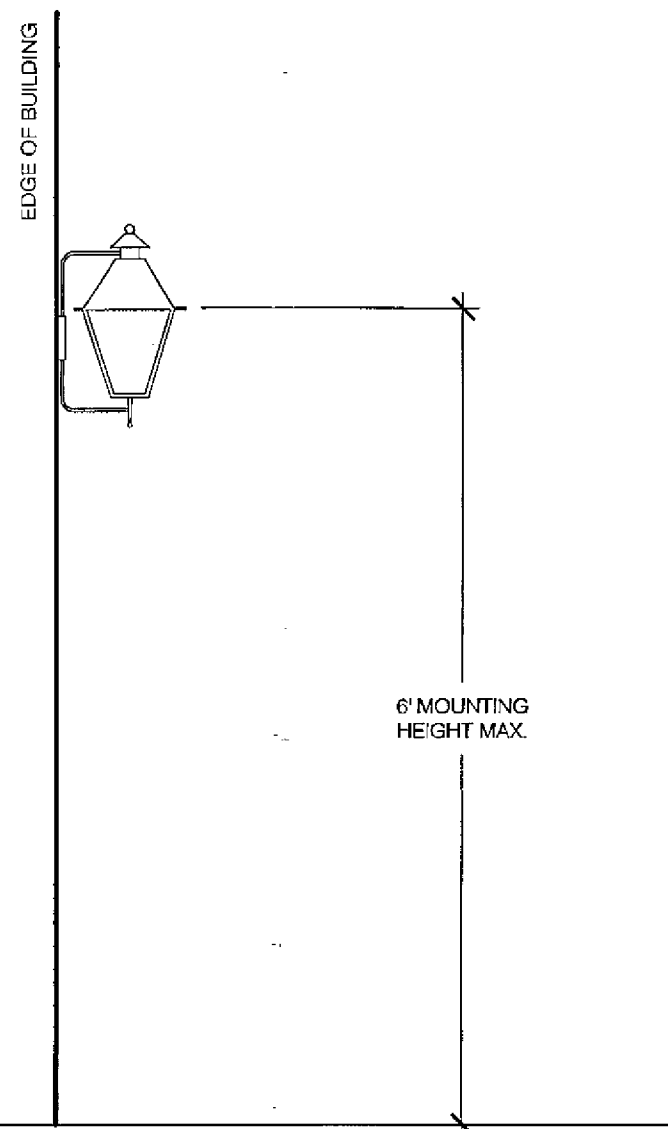
TYPICAL LOAM AND SEED DETAIL

SCALE: 1" = 1'-0"



WALL MOUNT LIGHT TYPE 'B'

SCALE: 3/8" = 1'-0"



WALL MOUNT LIGHT TYPE 'A'

SCALE: 3/4" = 1'-0"

PLANTING NOTES:

- The Contractor shall review the written specifications for tree and shrub planting, groundcover & plants and seeding prior to submitting bid. No variance 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.
- The Contractor shall coordinate this work with other contractors performing work on the site.
- The Contractor shall verify all grades, dimensions, and existing conditions and report any discrepancies to the Landscape Architect.
- 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.
- 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.
- All plant material shall conform to guidelines established by the "American Standards for Nursery Stock" published by the American Association of Nurserymen, latest edition (ANSI Z60.1).
- No plant or cultivar substitutions will be acceptable.
- Plant material shall be inspected by Owner's Representative for acceptance prior to planting.
- Locations of new plant material shall be staked or set out by Contractor and approved and faced by the Landscape Architect prior to planting.
- Refer to Planting Details and Specifications for information relating to planting pit dimensions and extent and composition of backfill material.
- The trees shall bear the same relationship to top pit finish grade as to the original grade prior to digging.
- The Contractor shall remove all plastic materials from around the root balls of the plants after positioning in the planting pits. Remove burlap, rope, and wire from around the trunks sufficiently so that no burlap, rope, or wire will be exposed after backfilling.
- 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.
- 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.
- The trees and shrubs shall be watered by the contractor twice during the first 24 hours of planting.
- The plants shall be maintained by the contractor during the warranty period.

REVISION NO.	DATE	DESCRIPTION	MADE BY	CHECKED BY	APPROVED BY
2	03.19.07	PLANNING BOARD CONDITION OF APPROVAL	CAW	CAW	CAW
1	12.26.06	STAFF REVIEW COMMENTS	CRM	CRM	CAW

LANDSCAPE & LIGHTING DETAILS FOR
WISE OF THE UPPER VALLEY, INC.
BANK STREET, LEBANON, NH

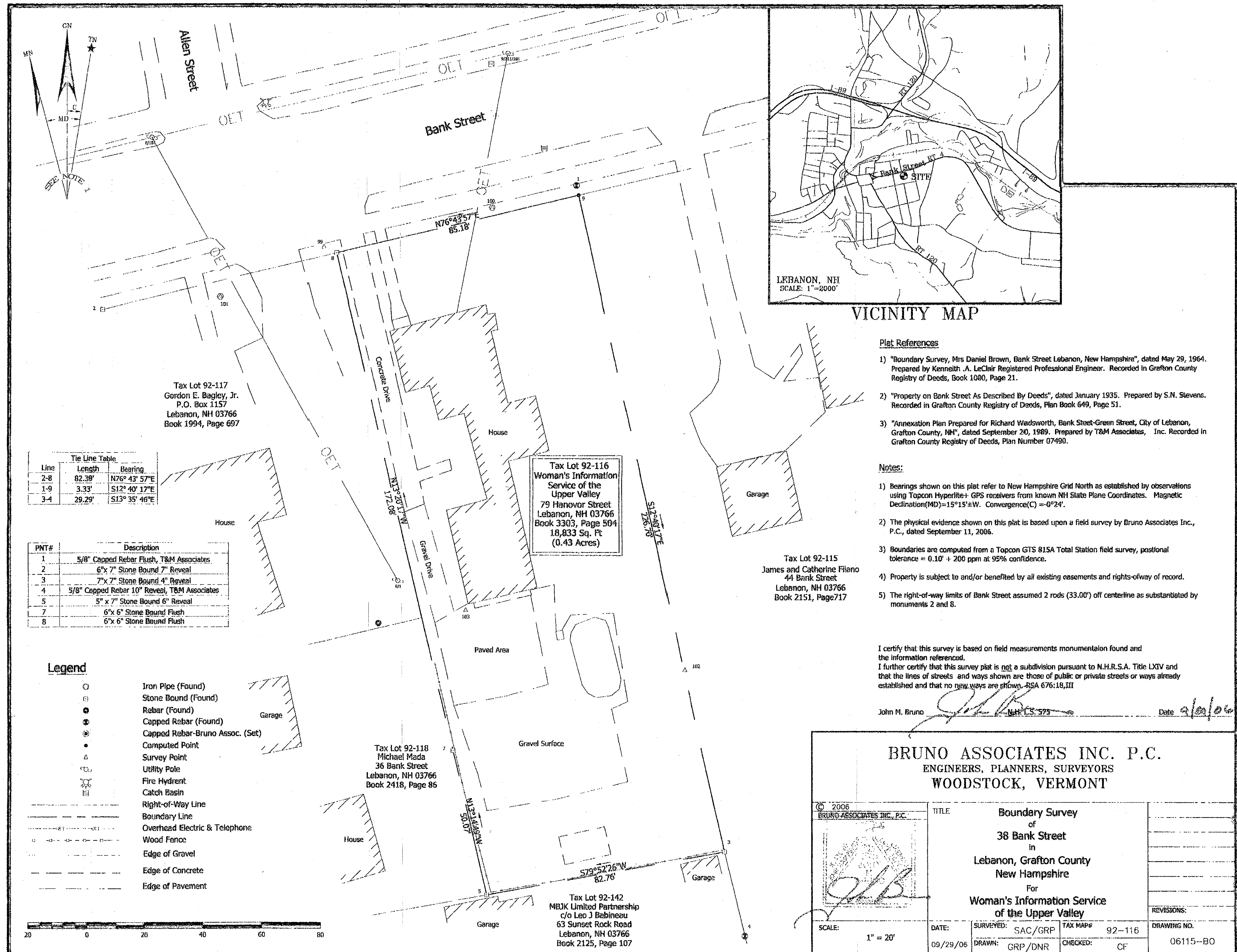
SAUCIER + FLYNN, LTD
LANDSCAPE ARCHITECTS
85 MECHANIC STREET, SUITE 280
LEBANON, NEW HAMPSHIRE 03766
(603) 448-0079

PATHWAYS CONSULTING, LLC
3 SCHOOLHOUSE LANE, P.O. BOX 600
ETNA, NEW HAMPSHIRE 03750
(603) 643-3511

SCALE: 1" = VARIES
DESIGNED BY: CAW
DRAWN BY: CRM
CHECKED BY: CAW
DATE: 12.11.06
PROJ. NO.

3

SHEET 3 OF 3



**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: Edwards Properties, LLC TEL.#: Tel#: 603-448-6363
MAILING PO Box 600, Lebanon, NH 03766
E-MAIL ADDRESS: jcicotte1@aol.com

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Dan Nash TEL.#: 802-356-4928
MAILING ADDRESS: 105 Bank St, Lebanon, NH 03766
E-MAIL ADDRESS: AdvancedGeomatics@comcast.net

PROJECT LOCATION:

TAX MAP #: 78 LOT#: 41 PLOT #: ZONE: IND-L
STREET ADDRESS OF PROJECT: 135 Heater Road
IS THIS PROPERTY LOCATED IN THE: **WETLANDS** ☐ YES ☒ NO **HISTORIC DISTRICT** ☐ YES ☒ NO
FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:

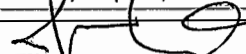
Expand office use for Lot 78-41 for local cleaning business

TYPE OF OCCUPANCY:

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

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on 8 July, 2024, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER:  DATE: _____

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

PROPERTY OWNER: _____ DATE: _____

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



10 June 2024

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

Re: Conditional Use Permit Application Update
PB2024-02-CUP
Lot 78-41, 135 Heater Road

Dear Mr. Corwin:

We provide the following in support of the revised CUP application for 135 Heater Road:

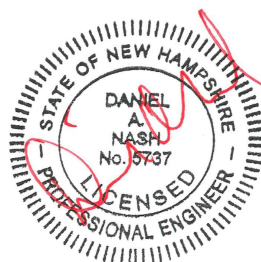
The applicant has decided to eliminate the residential unit, which has been existing and non-conforming. The former residential space will be used for storage for the office use, Aslan's maintenance.

The conversion of the residential unit to storage results in no change to the required parking. To support this, we have attached revised floor plans that show the office and storage areas. The attached spreadsheet tallies the areas of the rooms and uses and shows parking calculations.

Please let me know if you need any further materials to support this application.

Sincerely,

Daniel A. Nash, PE
Principal



CC: Edwards Properties

Attachments:

- Parking Calculation
- Site plan, Sheet C-1
- Building Floor Plans
- Updated CUP Support Statement

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EDWARDS Properties					
135 HEATER ROAD					
LEBANON, NH					
<u>PARKING CALCULATIONS</u>					
	Existing				
	Area				Spaces
<u>135 Heater Road</u>	(sf)	Use	Rate	Units	Required
<u>Office</u>					
<u>first floor</u>					
1-din	141				
1-kit	128				
1-foyer	133				
1-porch	74				
1-liv	199				
first floor total	675				
<u>second floor</u>					
2-br	131				
2-bath	45				
2-landing	46				
2-stairs	32				
2-br	168				
second floor total	422				
Office-total	1,097	office	1/250sf	1,097	4.4
<u>Storage</u>					
garage	528				
basement	600				
basement(under gar)	196				
warehouse(Storage)-total	1,324	warehouse	1/1,000sf	1,324	1.3
<u>former Two BR apartment</u>		warehouse	1/1,000sf	1,697	1.7
(to be vacated and used as storage)					
basement	600				
<u>first floor</u>			sub-total		7.4
1-din	141				(round up)
1-kit	128		Total required=		8.0
1-foyer	133				
1-porch	74		20% overage allowed		8.9 (7.4*1.2)
1-liv	199				
first floor total	675		Total Provided=		9
<u>second floor</u>					
2-br	131				
2-bath	45				
2-landing	46				
2-stairs	32				
2-br	168				
second floor total	422				
recap					
basement	600				
first	675				
second	422				
	1,697				



TO: TIM CORWIN, PLANNING OFFICE

FROM: DANIEL A. NASH, PE

RE: FEE FOR APPLICATION FOR CONDITIONAL USE APPLICATION
LOT 78-41

CC: EDWARDS PROPERTIES

DATE: 10 JUNE 2024

We offer the following to indicate how we calculated the application fee. Please let us know if we need to make any adjustments.

<u>Site Plan</u>	
Filing Fee	\$ 250.00
Advertising Fee	\$ 100.00
Notification Fee (\$5 + 4.98 x 5)	\$ 29.90
Owner/Applic.	1
Abutters	3
Professionals	<u>1</u>
To be notified	5
Total Application Fee	\$ 379.90

M:\2023_projects\23-017\planning_board\application_10jun24\col_fee_cu_10jun2024.doc

CERTIFIED NOTIFICATION LIST

THE CITY OF LEBANON IS REQUIRED UNDER NH RSA 672:3 TO NOTIFY THE FOLLOWING PERSONS OF PUBLIC HEARINGS BEFORE THE PLANNING BOARD: ALL ABUTTERS; THE APPLICANT; PROPERTY OWNER; HOLDER OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTION(S); AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR, OR SOIL SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD.

PLEASE PROVIDE NAMES & MAILING ADDRESSES FOR ALL PERSONS LISTED ABOVE.

MAP & LOT NUMBER: 78-41	MAP & LOT NUMBER: 78-41
PROPERTY OWNER: Edwards Properties, LLC PO Box 600 Lebanon, NH 03766	APPLICANT: Edwards Properties, LLC PO Box 600 Lebanon, NH 03766
MAP & LOT NUMBER: 78-42	MAP & LOT NUMBER: 78-43
ABUTTER/OTHER: Gordon Bagley, Jr PO Box 1157 Lebanon, NH 03766	ABUTTER/OTHER: Hypertherm, Inc PO Box 14 Hooksett, NH 03106
MAP & LOT NUMBER: 51-13	MAP & LOT NUMBER:
ABUTTER/OTHER: Benevolent & Protective Order Elks 150 Heater Road Lebanon, NH 03766	ABUTTER/OTHER:
MAP & LOT NUMBER:	MAP & LOT NUMBER:
ABUTTER/OTHER:	ABUTTER/OTHER:
MAP & LOT NUMBER:	MAP & LOT NUMBER:
ABUTTER/OTHER:	ABUTTER/OTHER:
MAP & LOT NUMBER:	MAP & LOT NUMBER:
ABUTTER /OTHER: Engineer Advanced Geomatics PO Box 512 Lebanon, NH 03766	ABUTTER/OTHER:



City of Lebanon, New Hampshire

APPLICATION FOR CONDITIONAL USE PERMIT

SUPPORT STATEMENT

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

I. APPLICATION CHECKLIST

- [Application form](#)
- [Public Hearing Notification List](#)
- [Filing fee](#)
- This form, including written responses to the Section 302.4.D requirements, outlined below
- A site plan
- Optional: photos and any other materials in support of your application

submitted 3Dec23
revised 7Feb24
revised 10Jun24

II. PROJECT DESCRIPTION

I (we) hereby request a Conditional Use Permit as provided for in Article(s) III, Section(s) 303.2 and 302.4 of the Lebanon Zoning Ordinance.

Please describe your proposed project with as much detail as possible. You can respond in the space provided below or on a separate sheet of paper.

To relocate the existing Aslan's Cleaning business office from 5 Edwards Street to **135 Heater Road**

~~so that the building will have one existing residential unit along with the office~~

Applicant now proposes to eliminate the residential unit and make the area storage for the office use.

III. CONDITIONAL USE PERMIT CRITERIA

In order to obtain a Conditional Use Permit, you must demonstrate to the Planning Board that the proposal satisfies the applicable criteria set forth in Sections A and B below. You must address each criteria in the space provided or on a separate sheet of paper.

A. Specific Criteria

The Conditional Use Permit is authorized by Article III, Section 303.2 of the Zoning Ordinance which requires the applicant to demonstrate that *(please address any criteria set forth in the Zoning Ordinance that specifically apply to your proposed use or project)*:

There are no specific criteria that apply for an office in the IND-L zone

B. General Criteria per Section 302.4.D

A conditional use permit shall be granted only if the Planning Board determines that the proposal conforms to all of the following standards:

1. The site is suitable for the proposal. This includes:

- a. Adequate vehicular and pedestrian access for the intended use.

Aslan's has been in business for many years at 5 Edwards Street. The location at 99 Heater Road will provide a more efficient office, better access, and convenient location for its operations. At its current location, Aslan's has vehicles parked in the street and 99 Heater Road will provide more suitable parking. The street is served by sidewalks.

- b. The availability of adequate public services to serve the intended use including emergency services, pedestrian facilities, safe access, and other municipal services.

The property is served by public water and sewer and is easily accessible by all municipal services.

correction: site is served by municipal water and one-site septic

- c. The absence of environmental constraints (floodplain, steep slope, etc.) proposed to be impacted by the intended use.

As no changes are intended for the site which is currently developed with a structure with paved parking, there will be no impacts on the site or the area. The property is not in the floodplain and does not have steep slopes.

correction: site will be improved with 7 new parking spaces

- d. The availability of appropriate utilities to serve the intended use including water, Sewage disposal, storm water treatment, electricity, and similar utilities.

The site is currently served with municipal water and sewer, and is on a well-developed section Heater Road. No additional utilities are required for the operation of the Aslan office.

correction: site is served by municipal water and one-site septic

2. External impacts: The external impacts of the proposed use on abutting properties and the neighborhood shall be commensurate with the impacts of adjacent existing uses or other uses permitted in the zoning district. This shall include, but not be limited to, water runoff, drainage, traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare. In addition, the location, nature, design, and height of the structure and its appurtenances, its scale with reference to its surroundings, and the nature and intensity of the use, shall not have an adverse effect on the surrounding environment nor discourage the appropriate and orderly development and use of land and buildings in the neighborhood. The proportion of the site proposed to be occupied by impervious surfaces shall be minimized to the extent necessary to preclude unreasonable risk of runoff, erosion, sedimentation, and other potentially adverse on-site or off-site effects.

The only abutting properties are the Hypertherm facility on the south side, a multifamily building to the west, and across the street is the Elks Lodge. The office generates no external noise, dust, odors, and its hours of operation are early morning to evening, similar to the other business along Heater Road.

3. Character of the site development: The proposed layout and design of the site shall not be incompatible with the established character of the neighborhood and shall mitigate any external impacts on abutters, the neighborhood, and nearby public ways and infrastructure. This shall include, but not be limited to, the relationship of the building(s) to the street, the amount, location, and screening of off-street parking, the treatment of yards and setbacks, the buffering of adjacent properties, and provisions for vehicular and pedestrian access to and within the site.

No changes are anticipated to the existing site layout. The use of the property for an office is compatible with the Hypertherm facility, the Elks Lodge, and nearby Fort Harry's truck stop.

correction: site will be improved with 7 new parking spaces

4. Character of the buildings and structures: The design of any new buildings or structures and the modification of existing buildings or structures on the site shall not be incompatible with the established character of the neighborhood. This shall include, but not be limited to, the scale, height, and massing of the building or structure, the roof line, locations of access, and visual compatibility with the area.

No new buildings are anticipated or required. The existing brick building is a feature of the established neighborhood which is primarily a through street for traffic from Enfield and Lebanon which is headed to DHMC, Centerra or Hanover.

5. Preservation of natural, cultural, historic, and scenic resources: The proposed use and layout of the site, including all related development activities, shall to the greatest extent practicable preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties. This shall include, but not be limited to, identified wetlands, floodplains, significant wildlife habitat and documented wildlife corridors, stonewalls, mature tree lines, identified historic buildings or sites, scenic views, and viewsheds.

The existing site will be maintained with no expected changes to the site or the building which is usable for an office.

correction: site will be improved with 7 new parking spaces

135 HEATER ROAD

LEBANON, GRAFTON COUNTY, NEW HAMPSHIRE

SITE PLAN

OWNER/APPLICANT
EDWARDS PROPERTIES, LLC
PO BOX 600
LEBANON, NH 03766

CONSULTANTS

CIVIL ENGINEER
DANIEL A. NASH, PE
ADVANCED GEOMATICS AND DESIGN
PO BOX 512
105 BANK STREET
LEBANON, NH 03766
advancedgeomatrics@comcast.net

LAND SURVEYOR
CHRIS PATON, LLS
PATON LAND SURVEYS, LLC
150 SOUTHRIDGE STREET
HARTLAND, VT 05156

LANDSCAPE DESIGN
MARA ROBINSON
MARA LANDSCAPE DESIGN
16 MYRTLE AVENUE
NEWBURYPORT, MA 01950

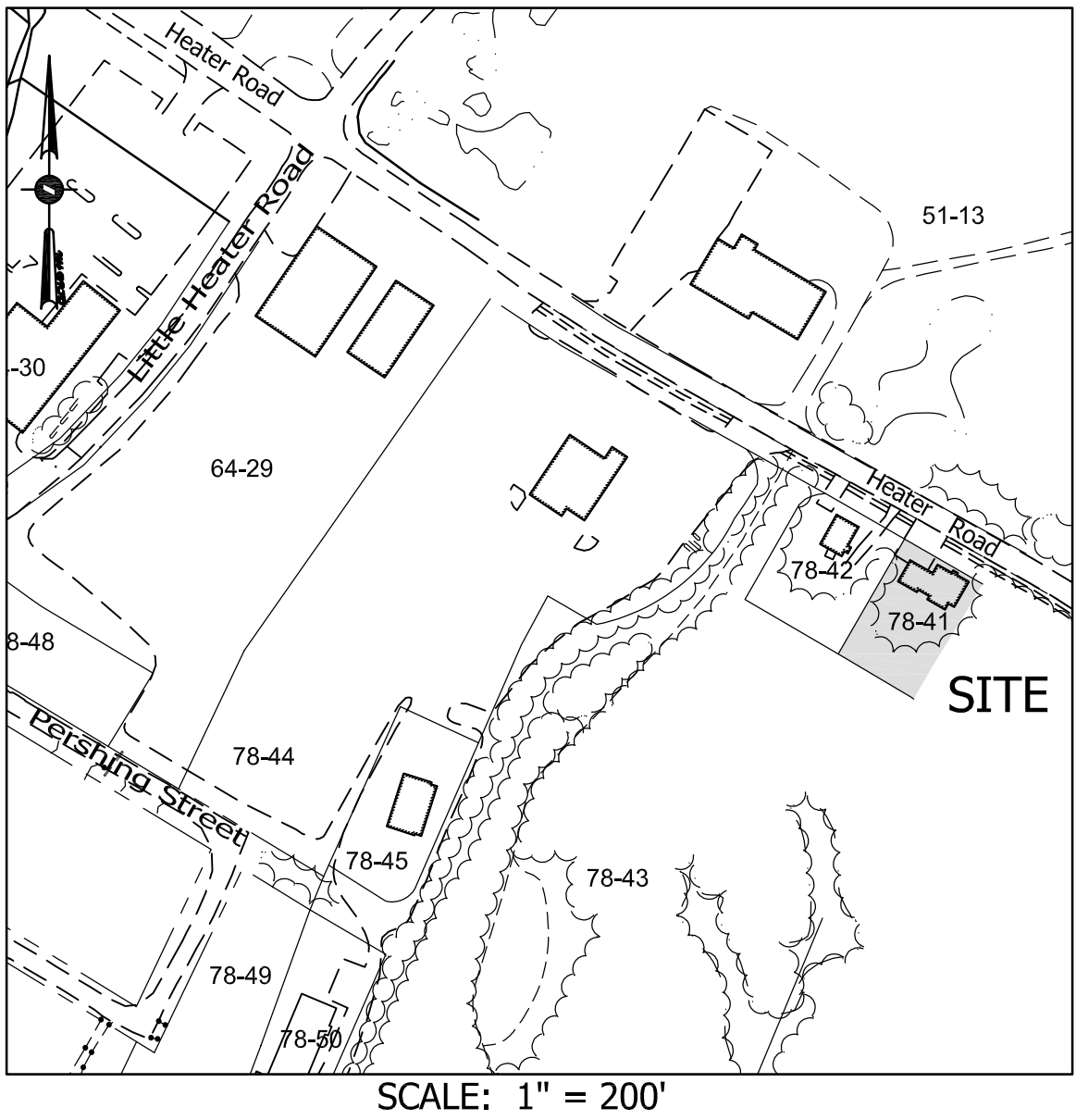
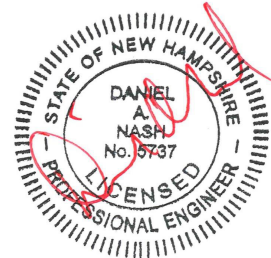


TABLE OF CONTENTS		
SHEET NUMBER		
2	OVERALL PLAN	OA-1
3	BOUNDARY SURVEY	-
4	EXISTING CONDITIONS PLAN	X-1
5	SITE PLAN	C-1
6	PAVER PANEL DETAIL	C-2
7	STORMWATER/EROSION CONTROL PLAN	C-3
8	LANDSCAPE PLAN	L-1
9	LIGHTING PLAN	L-2
10	SITE DETAILS	D-1
11	EROSION CONTROL DETAILS	D-5

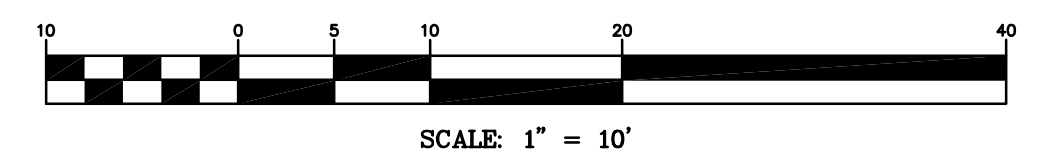
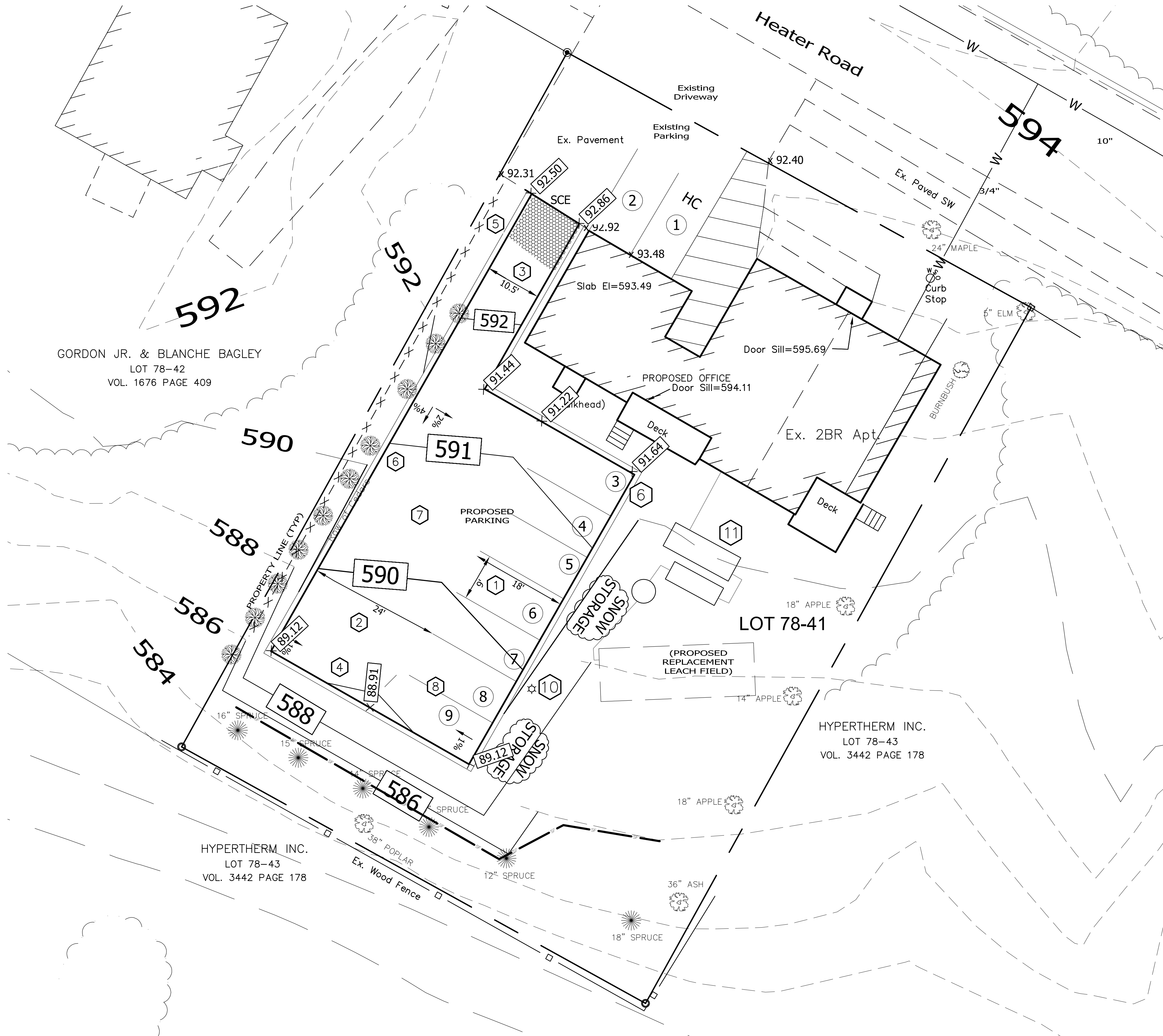
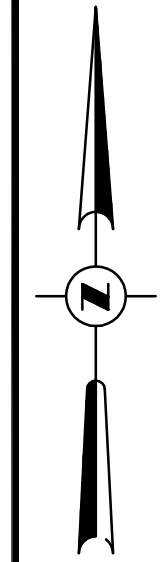
ZONING COMPARISON - IND-L DISTRICT			
	EXISTING	PROPOSED	REQUIRED
LOT SIZE	0.345Ac	0.345Ac	2.0 Ac.
GROSS FLOOR AREA	15,021sf	15,021sf	
-BASEMENT	1,396sf	1,396sf	
-FIRST FLOOR	1,745sf	1,745sf	
-SECONDFLOOR	844sf	844sf	
TOTAL	3,985sf	3,985sf	
FRONTAGE: (HEATER ROAD)	100'	100'	200'
FRONT YARD:	17'	17'	40'
SIDE YARD: (TO EAST)	10'	10'	20'
SIDE YARD: (TO WEST)	20'	20'	20'
REAR YARD:	94'	94'	20'
BUILDING FOOTPRINT (s.f.):	2,312sf	2,312sf	
% BLDG.COVERAGE	15.4%	15.4%	50%
IMPERVIOUS AREA (sf)	3,759sf	6,900sf	
% IMPERVIOUS COV.	24.4%	44.8%	NONE
HEIGHT	30±'	30±'	45' max.
USE: OFFICE/DWELLING UNIT(2BR APARTMENT) ***			
PARKING (REG./HC.)			
-OFFICE (1,097SF)	-	4.4	1/250SF
-WAREHOUSE (3,021SF)	-	3.0	1/1,000SF
SUB-TOTAL	4/0	9	7.4
MAXIMUM ALLOWED	-	8.9(8/1)	120%
LOADING SPACES	0	0	0
BICYCLE PARKING	0	2*	2

*BICYCLE PARKING PROVIDED IN FOYER OR GARAGE.
**TWO PARKING SPACES ARE INTENDED FOR THE OUTDOOR STORAGE OF TRAILERS FOR OFFICE USE.
***OFFICE USE IS PERMITTED PURSUANT TO CUP APPROVED 15APR24(PB2024-02-CUP).

- NOTES:**
- THIS PARCEL IS SHOWN AS LOT 78-41 ON THE LEBANON TAX MAPS. THE PHYSICAL ADDRESS IS 135 HEATER ROAD.
 - THIS PARCEL IS SERVED BY MUNICIPAL WATER AND ON-SITE SEWER.
 - THIS PARCEL IS NOT SUBJECT TO THE WETLANDS OVERLAY DISTRICT. THE PROPERTY WAS DETERMINED TO BE FREE OF WETLANDS; SEE NRCS LETTER REPORT DATED 7MAR24.
 - THIS PARCEL IS NOT SUBJECT TO THE FLOOD OVERLAY DISTRICT.
 - SUBJECT PARCEL IS ZONED IND-L.



7/01/2024 CHNG TO OFFICE
~~05/13/2024 PB CONDITIONS~~
~~03/28/2024 STAFF COMMENTS~~
~~03/07/2024 STAFF COMMENTS~~
~~01/30/2024~~
SITE PLAN
PN: 23-017



LEGEND

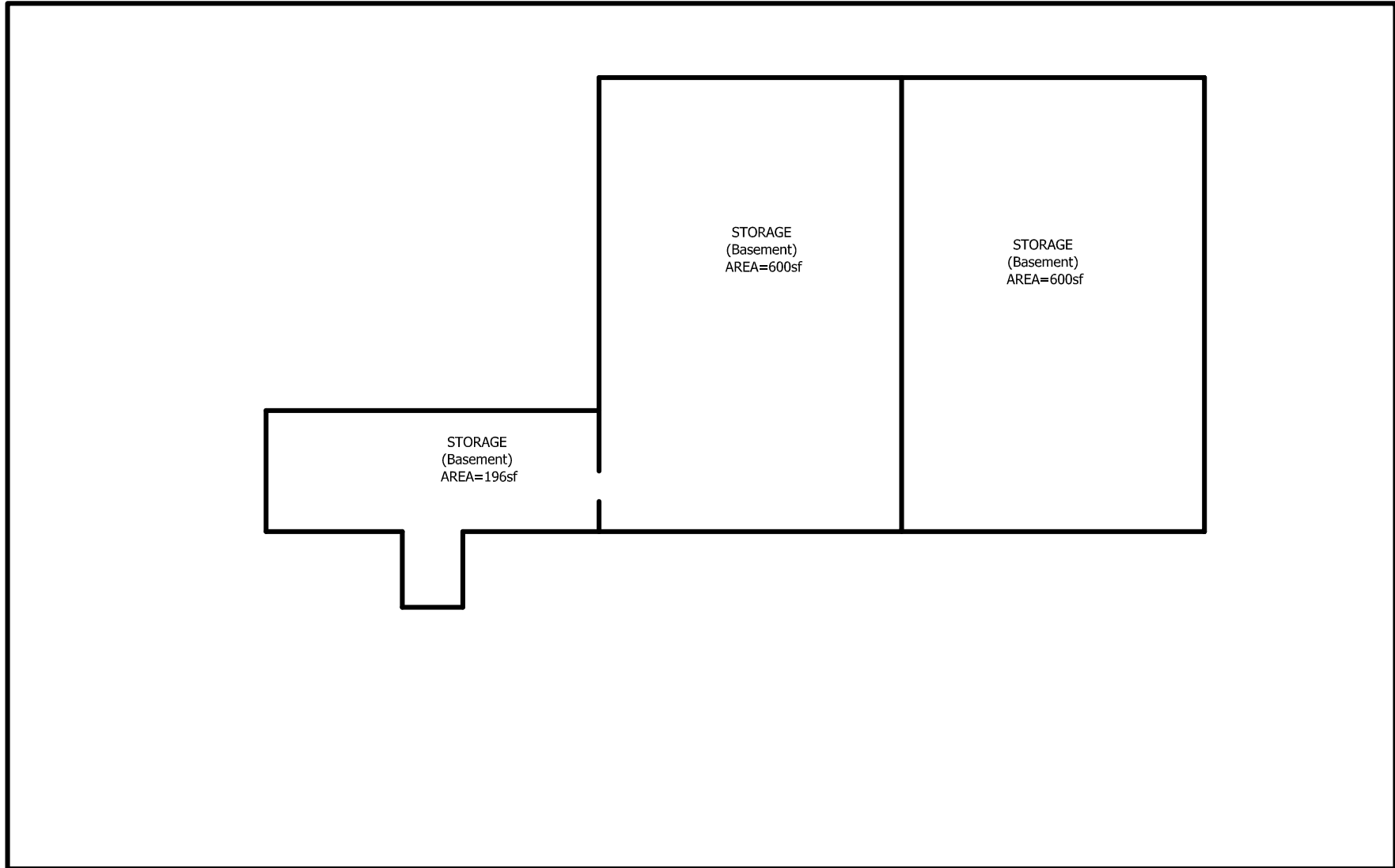
- BOUNDARY POINT
- REBAR (FOUND)
- IRON PIN (FOUND)
- STONE/CONCRETE MONUMENT
- STONE FENCE POST
- ⊙ UTILITY POLE
- UTILITY POLE ANCHOR
- BOUNDARY LINE
- - - RIGHT-OF-WAY LINE
- · - WOOD FENCE
- · - 8' PRIVACY FENCE
- · - CENTERLINE DITCH
- · - EDGE OF ROAD
- · - EDGE OF WATER
- · - EDGE OF WET AREA
- · - EXISTING EDGE OF WOODS
- · - EXISTING 2' CONTOUR/FLIGHT CONTOUR
- · - EXISTING 10' CONTOUR/20' FLIGHT CONTOUR
- 72 - PROPOSED 2' CONTOUR
- 70 - PROPOSED 10' CONTOUR

NOTES:

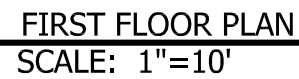
- ① PARKING SPACES 9X18.
- ② 24' AISLE
- ③ 10.5' DRIVE
- ④ PAVERS. SEE SHEET C-3.
- ⑤ 8' PRIVACY FENCE. PLACE 2' OFF PROPERTY LINE. REPLACE CEDARS DISTURBED BY FENCE INSTALLATION.
- ⑥ SLOPED GRANITE CURB.
- ⑦ PROPOSED PAVED PARKING.
- ⑧ SPACES 8&9 TO BE USED FOR TRAILER PARKING.
- ⑨ TRASH REMOVAL WILL BE THROUGH WHEELY BINS STORED IN GARAGE.
- ⑩ PROPOSED SITE LIGHT FIXTURE.
- ⑪ PROPOSED REPLACEMENT SEPTIC SYSTEM

SHEET 5 OF 11

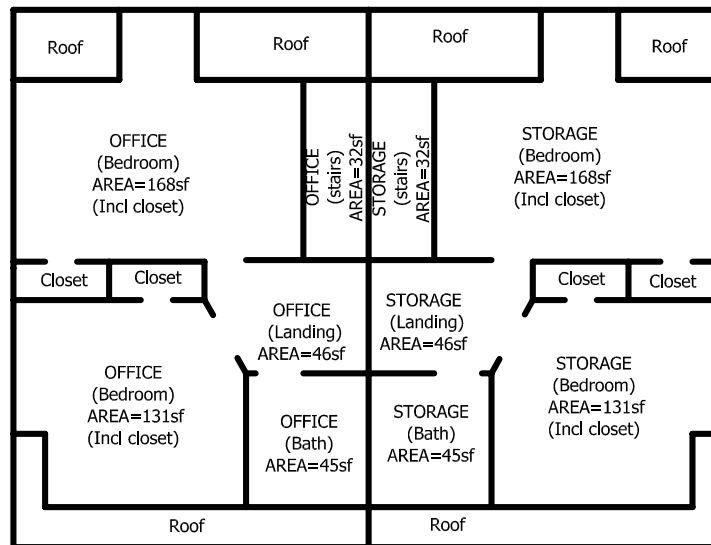
SITE PLAN FOR		EDWARDS PROPERTIES, LLC		IN		LEBANON, NEW HAMPSHIRE							
ADVANCED GEOMATICS & DESIGN		105 BANK STREET - PO BOX 512 LEBANON, NEW HAMPSHIRE 03766 PHONE: (603) 448 6295 E-MAIL: advancedgeomatics@comcast.net		04/30/2024 PB COMMENTS		03/28/2024 ADD PAVING AND CURING		03/07/2024 STAFF COMMENTS		REVISIONS		DATE	
SURVEYED: PATON		DESIGNED: DAN		DRAWN: DAN		CHECKED: DAN		DATE: 01/30/2024		EDWARDS PROPERTIES		SITE PLAN	
C-1		© 2024		ADVANCED GEOMATICS & DESIGN		DWG: C:\							



BASEMENT FLOOR PLAN
SCALE: 1"=10'



Page 126 of 166



SECOND FLOOR PLAN
SCALE: 1"=10'



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

PLANNING BOARD

July 8, 2024 Meeting

Staff Memorandum – PB2024-29-SPA

APPLICATION INFORMATION

Agenda Item:

3.E

Application ID:

PB2024-29-SPA

Application Type:

Amendment to approved phasing plan for a 204-unit multi-family residential development

Property Location & Tax Map:

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

Applicant & Property Owner:

SPNH Lebanon North, LLC

Property Size:

+/-14.21 acres

Proposed Use:

204-unit multi-family development consisting of three (3) buildings

Zoning District:

Residential One (R-1)

Overlay Districts:

Wetlands Conservation District

Future Land Use Map:

Residential – High and Rural

Staff Exhibits:

- 10/9/23 Notice of Action for PB2023-34-SPA (2 pages)
- Approved Phasing Plan dated November 2, 2023 (*exhibit inserted in front of applicant's proposed phasing plan*)

LEGAL NOTICE

SPNH Lebanon North, LLC, 402 Mount Support Road (Tax Map 24, Lot 9), zoned R-1: Pursuant to Section 9.1 of the Site Plan Review Regulations, applicant requests modifications to the phasing plan for a 204-unit multi-family complex, originally approved on February 14, 2022 (PB2021-33-SPR) and reapproved on October 9, 2023 (PB2023-34-SPR). PB2024-29-SPA

PLANS AND APPLICATION MATERIALS

- ▶ Application form
- ▶ Letter dated June 10, 2024, from Nicholas A. Fiore, PE, of Engineering Ventures, PC (description of applicant's request; 1 page)
- ▶ Certified Notification List (1 page)
- ▶ Fee Schedule (1 page)
- ▶ Plan sheet titled, "Project Phasing Plan," prepared by Engineering Ventures, PC, dated March 15, 2024, last revised July 1, 2024, EV Project #22715

COMPLETENESS REVIEW

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

BACKGROUND & APPLICATION OVERVIEW

On February 14, 2022, the Board approved the site plan application of Mount Support Development, LLC, to redevelop the subject property as a 204-unit multi-family dwelling complex consisting of four buildings to be constructed in phases (PB2021-33-SPR). On August 14, 2023, the Planning Board approved Mount Support Development, LLC's application to amend the phasing plan. Subsequently, the property was sold to SPNH Lebanon North, LLC, an entity controlled by the developer of the Marek development under construction at 343 Mount Support Road. On October 9, 2023, the Planning Board approved an amendment to the approved site plan to reconfigure the project from four (4), 3-story multi-family dwellings to three (3) 4-story multi-family dwellings and a community amenity building, together with an updated phasing plan (PB2023-34-SPA). Attached for reference is a copy of the

October 9, 2023 Notice of Action as well as a copy of the approved phasing plan.

At this time, the applicant is requesting further modifications to the approved phasing schedule for the reconfigured project. A description of the proposed modifications and the basis for the applicant's request is set forth in the attached letter dated September 11, 2023, from Nicholas A. Fiore, PE, of Engineering Ventures, PC.

STAFF COMMENTS

As a reminder to the Board, the purpose of phasing is to allow the buildings to be occupied as they are completed rather than waiting for completion of all site improvements, as is otherwise required by Section 8.1 of the Site Plan Review Regulations ("The Applicant shall construct and complete all design and construction requirements in accordance with Article VI and any other applicable section of these Regulations, as required in the Notice of Action, prior to the issuance of the Certificate of Occupancy.") Phasing can also extend the timelines required for obtaining a building permit for each phase (Section 4.10) and for the project to vest against any future changes to the Zoning Ordinance and Site Plan Review Regulations (Section 8.4 and NH RSA 6784:39).

Pursuant to Section 4.9.C, a proposed phasing schedule shall include the following information for each phase:

- "1. A specification of all improvements, on-site or off-site, to be installed as part of that phase;
2. A deadline for the posting of any required security for that phase;
3. A deadline for the completion of such improvements subsequent to the posting of such security; and
4. A date by which a Building Permit must be obtained to prevent the approval for that phase from being considered void pursuant to Section 4.10 of these Regulations."

Section 4.9.C further provides that, "The phasing schedule may also specify threshold levels of work and time lines which must be completed, in order for the project, as a whole, or particular phase(s) of the project, to be considered "vested" pursuant to RSA 674:39, and the New Hampshire common law of vested rights."

Per Section 4.9.D, "[i]n determining whether to grant an applicant's request for phased development, or to approve a proposed phasing schedule, the Board may consider the totality of the circumstances, including but not limited to the following factors:

1. The extent to which review of the development in its totality is logical and reasonable due to the degree to which the proposed phases are well-integrated, both as to their use and development scheme, and as to common infrastructure and other improvements, by contrast with a series of superficially-related projects which could just as effectively be reviewed individually;
2. The degree to which the integration of the phases, as described above, would make private investment in such improvements unlikely without the predictability of a phased approval.
3. The extent to which phasing will benefit the City by mitigating and making more predictable the impacts of the complete development upon community facilities, services, utilities and other City goals as set forth in the Master Plan.
4. The extent to which the proposed phasing schedule represents a realistic timeline for active and substantial development progressing at a steady pace, in light of the type and complexity of the project as a whole, rather than an attempt to maintain "vesting" during significant periods of non-development.

5. The total length of time proposed, and the degree of unpredictability or Board uncertainty involved, with respect to whether a later phase or phases will continue to meet current regulations at the time of construction, and in light of potential changed conditions which might occur in the meantime within the neighborhood or the City as a whole.”

Staff recommends that the Board evaluate the applicant's proposed phasing plan in light of the requirements/criteria set forth in Sections 4.9.C and 4.9.D.

Also, for the benefit of the Board and in case any Board member has similar questions, please note the following e-mail exchange between staff and the applicant (staff question in black, applicant response in red):

- Why is there a Phase 1, 1A, 2 and 3, as opposed to Phase 1, 2, 3, and 4? **We did the 1/1a since both phases have the same time lines (Start/Substantial completion) but they both will each need an individual TCoFO when the time comes. We can change these to 1-2-3-4.**
- Can the Building numbers be swapped to create less confusion? i.e. change Building 2 to Building 1 and vice versa to match the phase numbers those buildings are included within? **We would prefer to keep the building numbers consistent and independent of the phasing since there are implications for the addressing if we change the building number to match the phasing. I think the addressing will be confusing for the Fire Department/Police Departments and our tenant's if we change them to match the phasing.**

STAFF RECOMMENDATIONS

If the Planning Board moves to approve the applicant's request, then based on the information reviewed by City staff, the Planning and Development Department recommends that the Planning Board approve the application with the conditions noted below:

1. The applicant shall satisfy and comply with the Notice of Action for PB2021-33-SPR dated February 14, 2022, and all conditions of approval thereof, and with Notice of Action for PB2023-34-SPA dated October 9, 2023, and all conditions of approval thereof except as superseded by Condition of Approval #2 below.
2. Condition #2 set forth in the Planning Board Notice of Action for PB2023-34-SPA dated October 9, 2023, is hereby stricken and replaced with the following:
Pursuant to Section 4.9 of the Site Plan Review Regulations, the project may be constructed in phases per the phasing plan submitted for PB2024-29-SPA and per the conditions of approval set forth in the Planning Board Notice of Action for PB2021-33-SPR dated February 14, 2022, and in the Planning Board Notice of Action for PB2023-34-SPA dated October 9, 2023.

Attachments

cc: Donald Smith, SPNH Lebanon North, LLC (via e-mail)
Nicholas A. Fiore, PE, of Engineering Ventures, PC (via e-mail)
File



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

NOTICE OF ACTION LEBANON PLANNING BOARD PB2023-34-SPA

Notice is hereby given that on **October 9, 2023**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

“Andrew Faunce that the Lebanon Planning Board find the application of SPNH Lebanon North, LLC, for 402 Mount Support Road (Tax Map 24, Lot 9) and 392 Mount Support Road (Tax Map 24, Lot 10) (PB2023-34-SPA) is complete enough to accept jurisdiction and commence review.

The motion was seconded by Patrick Kennelly. The vote on the motion was unanimous in favor, 8-0.”

Notice is hereby given that on **October 9, 2023**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

“Bruce Garland moved to approve a waiver of Section 6.7.B.2 regarding light trespassing onto adjacent properties and streets.

The motion was seconded by Andrew Faunce. The vote on the motion was approved, 8-0.”

Notice is hereby given that on **October 9, 2023**, the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations:

“Patrick Kennelly that the Lebanon Planning Board **APPROVE** the application of SPNH Lebanon North, LLC, pursuant to Section 9.1 of the Site Plan Review Regulations for a modification to a previously approved Site Plan (PB2021-33-SPR) for a 204-unit multi-family development, PB2023-34-SPA. Applicant proposes to construct 3, 4-story multi-family dwellings and a community amenity building in place of the 4, 3-story multi-family dwellings currently approved, together with related modifications to parking, utilities, landscaping, access, and other site improvements, as depicted on a plan set titled “Marek 2 Site Development Plans” prepared by Engineering Ventures, PC, dated September 11, 2023, EV Project #22715 (46 Sheets), per application materials submitted and including any and all submissions and testimony provided for and during the public hearing, subject to the following conditions:

1. The applicant shall satisfy and comply with the Planning Board Notice of Action for PB2021-33-SPR, dated February 14, 2022, and all conditions of approval thereof except as provided in Condition of Approval #2 below. This approval shall supersede the Planning Board’s Notice of Action dated August 14, 2023, for PB2023-27-SPA.

2. Condition #17 set forth in the Planning Board Notice of Action for PB2021-33-SPR, dated February 14, 2022, is hereby stricken and replaced with the following: Pursuant to Section 4.9 of the Site Plan Review Regulations, the project may be constructed in phases per the phasing plan submitted for PB2023-34-SPA and per the conditions of approval set forth in the Planning Board Notice of Action for PB2021-33-SPR, dated February 14, 2022, and in the Planning Board Notice of Action for PB2023-34-SPA, dated October 9, 2023.
3. Prior to any construction activities and prior to the application for a Building Permit, the applicant shall make the following revisions to the plan set to the satisfaction of the Planning and Development Department and the City Engineer:
 - a. Identify the on-site water main easement area to be conveyed to the City;
 - b. Add sheet numbers to each sheet (Sheets 1 – 46);
 - c. Revise the plan date to November 21, 2021, to match the original approved plan, and provide all subsequent revision dates and descriptions thereof (5.1.E.4.d); and
 - d. To the satisfaction of the Lebanon Fire Department, amend the landscaping plan as needed to remove bushes and other plantings where the Fire Department connection for the automatic fire sprinkler system will be located.
 - e. Incorporate all other revised plan sheets and changes submitted during the course of the hearing and update all other plan sheets as necessary to reflect the changes.

The applicant shall provide the Planning and Development Department with one (1) full size copy of the revised plan set, and a digital copy of the revised plan set saved in a PDF-A format for archival purposes.

4. Prior to any construction activities and prior to the application for a Building Permit, the applicant shall apply to the Planning and Development Department for a voluntary merger of 402 & 392 Mount Support Road (Tax Map 24, Lots 9 & 10). Upon approval, the voluntary merger shall be recorded at the Grafton County Registry of Deeds.
5. Prior to application for a Building Permit, the applicant shall provide a wildland fire hazard assessment per 2018 NFPA 1, Section 17.1.1, and shall provide such assessment to the Lebanon Fire Department for review.
6. Prior to issuance of a Building Permit, the applicant shall request approval pursuant to City Code Chapter 182, Section 182-40.B, to extend the water main from Mount Support Road through the development.

The motion was seconded by Andrew Faunce. The vote on the motion was unanimous in favor, 8-0."

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: **SPNH Lebanon North, LLC** TEL.#: **781-875-3300**

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

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

CO-APPLICANT, AGENT, OR LESSEE:

NAME: _____ TEL.#: _____

MAILING ADDRESS: _____

E-MAIL ADDRESS: _____

PROJECT LOCATION:

TAX MAP #: **24** LOT#: **9** PLOT #: _____ ZONE: **R1**

STREET ADDRESS OF PROJECT: **402 Mount Support Road**

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

FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:

Modifications to approved phasing plan for PB2023-34-SPA

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: *Donald Smith* DATE: June 10, 2024

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

PROPERTY OWNER: _____ DATE: _____

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

June 10, 2024

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

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

Dear Mr. Corwin,

On behalf of Saxon Partners, LLC (dba, SPNH Lebanon North, LLC), Engineering Ventures, PC (EV) is pleased to submit the enclosed Site Plan Review application package for revisions to the previously approved 402 Mt Support Road residential development project. The previous approvals are City of Lebanon file numbers PB2021-33-SPR and PB2023-34-SPA.

The extent of the revisions included in the application are changes to the project's Phasing Plan. Changes are made to the phase boundaries and the dates associated with each phase as depicted on the revised sheet C0.3 accompanying this application package. DEW Construction, the project General Contractor, is the primary author of this revised phasing plan, with input from the Owner and EV. No other changes to the approved site plans are proposed at this time.

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

Sincerely,
ENGINEERING VENTURES, PC



Nicholas A. Fiore, PE
Vice President

CC: Don Smith, Saxon Partners
Brenden Gilmore, Saxon Partners

Enc: Application Form
Certified Notification List
Sheet C0.3

CERTIFIED NOTIFICATION LIST

THE CITY OF LEBANON IS REQUIRED UNDER NH RSA 672:3 TO NOTIFY THE FOLLOWING PERSONS OF PUBLIC HEARINGS BEFORE THE PLANNING BOARD: ALL ABUTTERS; THE APPLICANT; PROPERTY OWNER; HOLDER OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTION(S); AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR, OR SOIL SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD.

PLEASE PROVIDE NAMES & MAILING ADDRESSES FOR ALL PERSONS LISTED ABOVE.

MAP & LOT NUMBER: <u>24-9</u>	MAP & LOT NUMBER: <u>24-9</u>
PROPERTY OWNER: SPNH Lebanon North, LLC c/o Saxon Partners 25 Recreation Park Drive, Suite 204 Hingham, MA 02043	APPLICANT: SPNH Lebanon North, LLC c/o Saxon Partners 25 Recreation Park Drive, Suite 204 Hingham, MA 02043
MAP & LOT NUMBER: <u>24-11</u>	MAP & LOT NUMBER: <u>24-2 & 24-8</u>
ABUTTER/OTHER: Audubon Timberwood LLC 715 Boylston St, Ste 410 Boston, MA 02116	ABUTTER/OTHER: Dartmouth College Trustees C/O Daniel J Justynski, Real Estate Director PO Box 5188 Hanover, NH 03755
MAP & LOT NUMBER: <u>24-1-100</u>	MAP & LOT NUMBER: _____
ABUTTER/OTHER: SPNH Mount Support, LLC 25 Recreation Park Dr, Ste 204 Hingham, MA 02043	ABUTTER/OTHER:
MAP & LOT NUMBER: _____	MAP & LOT NUMBER: _____
ABUTTER/OTHER: Engineering Ventures c/o Nicholas A. Fiore, PE 85 Mechanic St, Suite E2-3 Lebanon, NH	ABUTTER/OTHER:
MAP & LOT NUMBER: _____	MAP & LOT NUMBER: _____
ABUTTER/OTHER: 	ABUTTER/OTHER:
MAP & LOT NUMBER: _____	MAP & LOT NUMBER: _____
ABUTTER/OTHER: 	ABUTTER/OTHER:

SITE PLAN REVIEW		
TOTAL DUE AT TIME OF FILING		\$
**Engineering Review fees will also be required. See note on page 2.		

SITE PLAN REVIEW AMENDMENT (WITH STRUCTURAL CHANGES)		
		TOTALS
FILING FEE	\$250.00	\$250.00
SQUARE FOOTAGE	\$75.00 per 1,000 sq. ft. (gross floor area)	
ADVERTISING FEE	\$100.00	\$100.00
NOTIFICATION FEE (see note below)	\$5.00 + Current USPS rate per certified notice (see below) X _____ notices	\$5.00 \$ _____ (abutter certified)
TOTAL DUE AT TIME OF FILING		\$
**Engineering Review fees may also be required. See note below.		

OTHER		
-SITE PLAN REVIEW AMENDMENT (WITH NO STRUCTURAL CHANGES) -EXTENSION REQUESTS -CONDITIONAL USE PERMITS		
		TOTALS
FILING FEE	\$250.00	\$250.00
ADVERTISING FEE	\$100.00	\$100.00
NOTIFICATION FEE (see note below)	\$5.00 + Current USPS rate per certified notice (see below) X <u>4</u> notices	\$5.00 \$ <u>20.16</u> (abutter certified)
TOTAL DUE AT TIME OF FILING		\$ <u>375.16</u>
**Engineering Review fees may also be required. See note below.		

MINOR SITE PLAN REVIEW		
		TOTALS
FILING FEE	\$150.00	\$150.00
NOTIFICATION FEE (see note below)	Current USPS rate per certified notice (see below) X _____ notices	\$ _____ (abutter certified)
TOTAL DUE		\$

ENGINEERING REVIEW FEES:

After an application to the Planning Board is submitted and the filing fees identified above have been paid, the Planning & Development Department will determine the scope of required engineering review and will obtain an estimated cost from the reviewing engineer. A cost estimate of the review fees will usually be generated within two (2) – three (3) business days. Once conveyed to the applicant, the estimated review fees shall be paid by the applicant within five (5) business days, and an escrow account shall be established by the Planning & Development Department. No plans will be reviewed unless and until the review fee estimate is paid, if required.

Please note that escrow fees are only an estimate of what services will cost and actual costs of review may be less or more than the amount initially estimated. Any unused portion of the escrow will be returned to the applicant at the end of the approval process if such a surplus remains. Additionally, in the event the escrow amount does not cover the full cost of services the Applicant shall pay any remaining costs as a condition of approval. See also Section 4.7 of the Site Plan Review Regulations and Section 7.7 of the Subdivision Regulations.

NOTIFICATION FEE: CURRENT FEE as of January 2024 is \$5.04 per certified notice

THE CERTIFIED NOTIFICATION FEE IN ALL SECTIONS ABOVE INCLUDES THE FOLLOWING: ALL ABUTTERS, THE APPLICANT, PROPERTY OWNER, HOLDER OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTION(S); AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR OR SOIL SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD AND ANY OTHER PERSONS REQUIRED BY RSA 676:4, I(d).

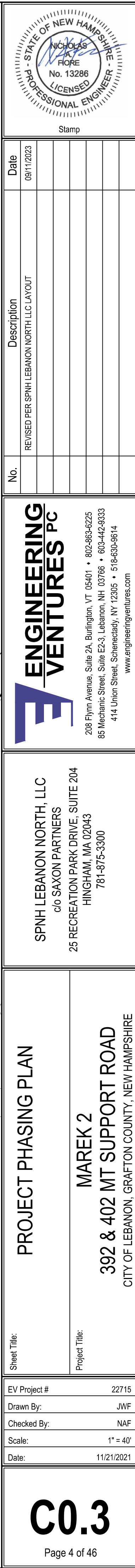
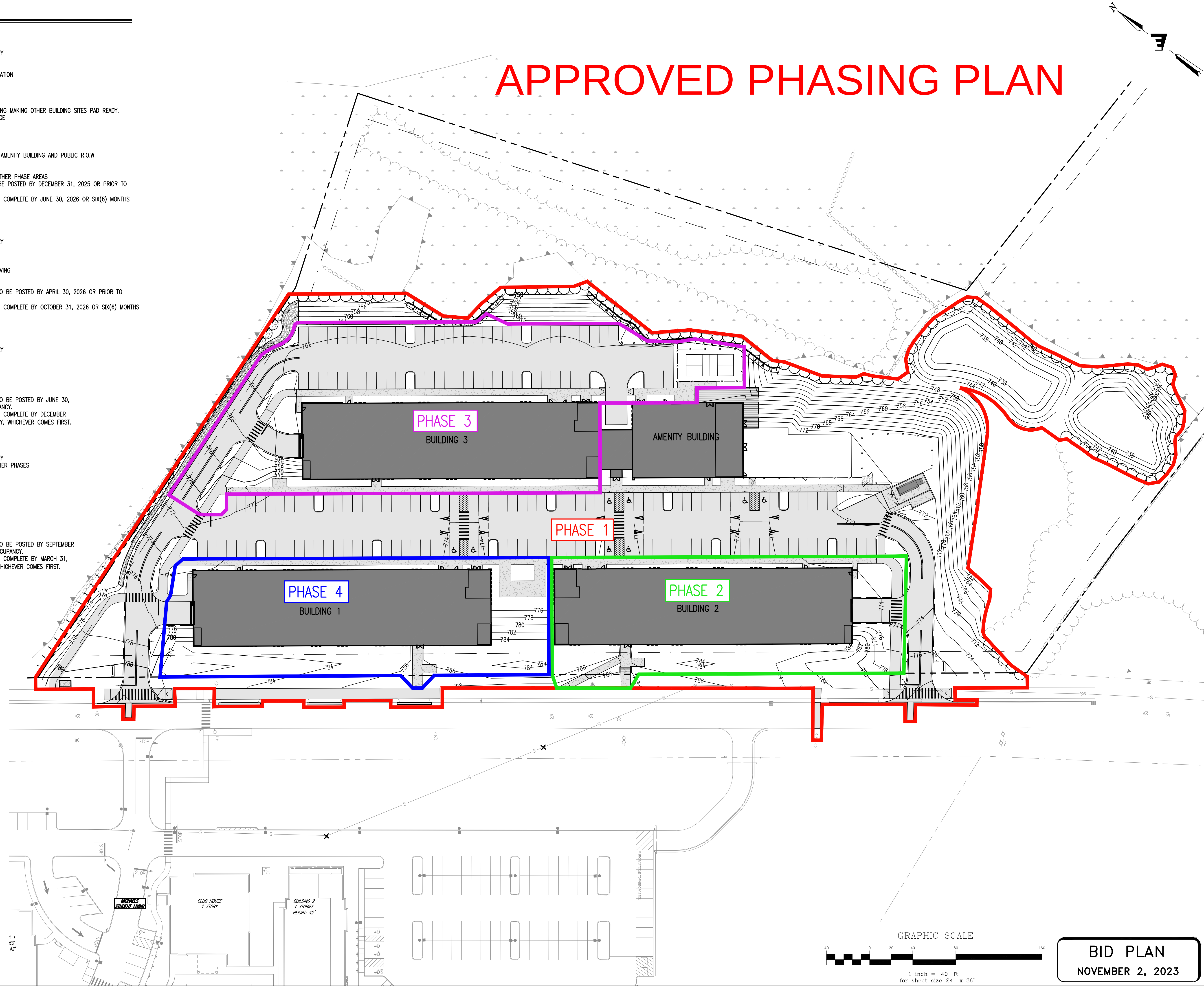
APPROVED PHASING PLAN

- CONSTRUCTION SCHEDULE
 - DECEMBER 1, 2023 TO DECEMBER 31, 2025
 - START AND END DATES ARE ESTIMATES AND MAY VARY
 - SECURE BUILDING PERMIT PRIOR TO DECEMBER 1, 2025
 - MOBILIZE ON SITE, INSTALL CONSTRUCTION ENTRANCE
 - BASE LAYOUT, FLAG FOR CLEARING AND WETLANDS DELINEATION
 - INSTALL EROSION CONTROL MEASURES
 - CLEAR AND GROB WOODED AREAS
 - ROUGH GRADE SITE
 - CONSTRUCT FOLLOWING SITE IMPROVEMENTS:
 - MASS GRADING FOR ALL SITE IMPROVEMENTS INCLUDING MAKING OTHER BUILDING SITES PAD READY.
 - INFRASTRUCTURE FOR SEWER, WATER, STORM DRAINAGE
 - WIRE UTILITIES (PHONE/CABLE/ELECTRIC).
 - RETAINING WALLS
 - SELECTED ROADWAY/PARKING GRAVELS
 - CONSTRUCT AMENITY BUILDING
 - CONSTRUCT SIDEWALKS AND PATIO ASSOCIATED WITH AMENITY BUILDING AND PUBLIC R.O.W.
 - DUMPSTER PAD AND ENCLOSURE
 - BASE COAT PAVING
 - LANDSCAPING WITHIN PHASE 1 AND EXCLUSIVE OF OTHER PHASE AREAS
 - REQUIRED SECURITY FOR REMAIN PHASE 1 WORK TO BE POSTED BY DECEMBER 31, 2025 OR PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
- WORK FOR WHICH SECURITY HAS BEEN POSTED SHALL BE COMPLETE BY JUNE 30, 2026 OR SIX(6) MONTHS AFTER POSTING OF SECURITY, WHICHEVER COMES FIRST.

- CONSTRUCTION SCHEDULE
 - APRIL 1, 2024 TO APRIL 30, 2026
 - START AND END DATES ARE ESTIMATES AND MAY VARY
- SECURE BUILDING PERMIT PRIOR TO DECEMBER 1, 2025
- CONSTRUCT FOLLOWING SITE IMPROVEMENTS
 - BUILDING 2
 - BUILDING 2 GARAGE DRIVEWAY UP TO BASE COAT PAVING
 - SIDEWALKS ASSOCIATED WITH BUILDING 2
 - LANDSCAPING WITHIN PHASE 2
- IF REQUIRED, SECURITY FOR REMAINING PHASE 2 WORK TO BE POSTED BY APRIL 30, 2026 OR PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
- WORK FOR WHICH SECURITY HAS BEEN POSTED SHALL BE COMPLETE BY OCTOBER 31, 2026 OR SIX(6) MONTHS AFTER POSTING OF SECURITY, WHICHEVER COMES FIRST.

- CONSTRUCTION SCHEDULE
 - JULY 1, 2024 TO JUNE 30, 2026
 - START AND END DATES ARE ESTIMATES AND MAY VARY
- SECURE BUILDING PERMIT PRIOR TO DECEMBER 1, 2025
- CONSTRUCT FOLLOWING SITE IMPROVEMENTS
 - BUILDING 3
 - BUILDING 3 GARAGE DRIVEWAY
 - SIDEWALKS ASSOCIATED WITH BUILDING 3
 - LANDSCAPING WITHIN PHASE 3
- IF REQUIRED, SECURITY FOR REMAINING PHASE 3 WORK TO BE POSTED BY JUNE 30, 2026 OR PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
- WORK FOR WHICH SECURITY HAS BEEN POSTED SHALL BE COMPLETE BY DECEMBER 31, 2026 OR SIX(6) MONTHS AFTER POSTING OF SECURITY, WHICHEVER COMES FIRST.

- CONSTRUCTION SCHEDULE
 - OCTOBER 1, 2024 TO SEPTEMBER 31, 2026
 - START AND END DATES ARE ESTIMATES AND MAY VARY
 - SOME ITEMS MAY BE COMPLETED AS PARTS OF EARLIER PHASES
- SECURE BUILDING PERMIT PRIOR TO OCTOBER 1, 2025
- CONSTRUCT FOLLOWING SITE IMPROVEMENTS
 - BUILDING 1
 - BUILDING 1 GARAGE DRIVEWAY
 - SIDEWALKS ASSOCIATED WITH BUILDING 1
 - LANDSCAPING WITHIN PHASE 4
 - FENCING AND GUARD RAILS ALL PHASES
 - SITE FURNITURE AND AMENITIES ALL PHASES
 - TOP COAT ASPHALT ALL PHASES
 - SIGNAGE AND PAVEMENT MARKINGS ALL PHASES
- IF REQUIRED, SECURITY FOR REMAINING PHASE 4 WORK TO BE POSTED BY SEPTEMBER 31, 2026 OR PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
- WORK FOR WHICH SECURITY HAS BEEN POSTED SHALL BE COMPLETE BY MARCH 31, 2027 OR SIX(6) MONTHS AFTER POSTING OF SECURITY, WHICHEVER COMES FIRST.



PLOTTED: 7/10/2024 10:40 PM

S:\PROJECTS\2022\2715 NH 402 MT SUPPORT - SAUNDON\SHEET FILES\202715 C03 PROJECT PHASING PLAN.DWG

PROJECT PHASING

PHASE 1 (AMENITY BUILDING, SOUTH ENTRANCE, SOUTH PARKING AND GRAVEL WETLANDS)

- CONSTRUCTION SCHEDULE
 - AUGUST 1, 2024 TO MAY 31, 2026
 - START AND END DATES ARE ESTIMATES AND MAY VARY
- SECURE BUILDING PERMIT PRIOR TO DECEMBER 1, 2025
- MOBILIZE ON SITE, INSTALL CONSTRUCTION ENTRANCE
- BASE LAYOUT, FLAG FOR CLEARING AND WETLANDS DELINEATION
- INSTALL EROSION CONTROL MEASURES
- CLEAR AND GRUB WOODED AREAS
- ROUGH GRADE SITE
- CONSTRUCT FOLLOWING SITE IMPROVEMENTS:
 - MASS GRADING FOR SITE IMPROVEMENTS
 - INFRASTRUCTURE FOR SEWER, WATER, STORM DRAINAGE MAINS FOR ENTIRE SITE
 - WIRE UTILITIES (PHONE/CABLE/ELECTRIC) FEEDS TO THE SITE
 - RETAINING WALLS
 - SELECT ROADWAY/PARKING GRAVELS
 - FENCING AND GUARD RAILS
 - AMENITY BUILDING (INCLUDES APPROX. 30 LF OF BUILDING 3 FOUNDATION)
 - SEWER, WATER, AND STORM DRAINAGE SERVICE CONNECTIONS TO AMENITY BUILDING
 - WIRE UTILITIES (PHONE/CABLE/ELECTRIC) SERVICE CONNECTIONS TO AMENITY BUILDING
 - SIDEWALKS AND PATIO ASSOCIATED WITH AMENITY BUILDING
 - PEDESTRIAN CONNECTIONS TO AND WITHIN PUBLIC R.O.W.
 - DUMPSTER PAD AND ENCLOSURE
 - BASE AND TOP COAT PAVING
 - SIGNAGE AND PAVEMENT MARKINGS
 - LANDSCAPING AND SITE LIGHTING WITHIN PHASE 1.
- PHASE 1 CONSTRUCTION SHALL ACHIEVE "ACTIVE AND SUBSTANTIAL DEVELOPMENT", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.A, BY NOVEMBER 30, 2025.
- PHASE 1 CONSTRUCTION SHALL ACHIEVE "SUBSTANTIAL COMPLETION", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.B, BY MAY 31, 2026.

PHASE 2 (BUILDING 2 AND ADJACENT SIDEWALKS)

- CONSTRUCTION SCHEDULE
 - AUGUST 1, 2024 TO MAY 31, 2026
 - START AND END DATES ARE ESTIMATES AND MAY VARY
- SECURE BUILDING PERMIT PRIOR TO DECEMBER 1, 2025
- CONSTRUCT FOLLOWING SITE IMPROVEMENTS
 - BUILDING 2
 - SEWER, WATER, AND STORM DRAINAGE SERVICE CONNECTIONS TO BUILDING 2
 - WIRE UTILITIES (PHONE/CABLE/ELECTRIC) SERVICE CONNECTIONS TO BUILDING 2
 - BUILDING 2 GARAGE DRIVEWAY
 - SIDEWALKS ASSOCIATED WITH BUILDING 2
 - LANDSCAPING AND SITE LIGHTING WITHIN PHASE 2.
- PHASE 2 CONSTRUCTION SHALL ACHIEVE "ACTIVE AND SUBSTANTIAL DEVELOPMENT", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.A, BY NOVEMBER 30, 2025.
- PHASE 2 CONSTRUCTION SHALL ACHIEVE "SUBSTANTIAL COMPLETION", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.B, BY MAY 31, 2026.

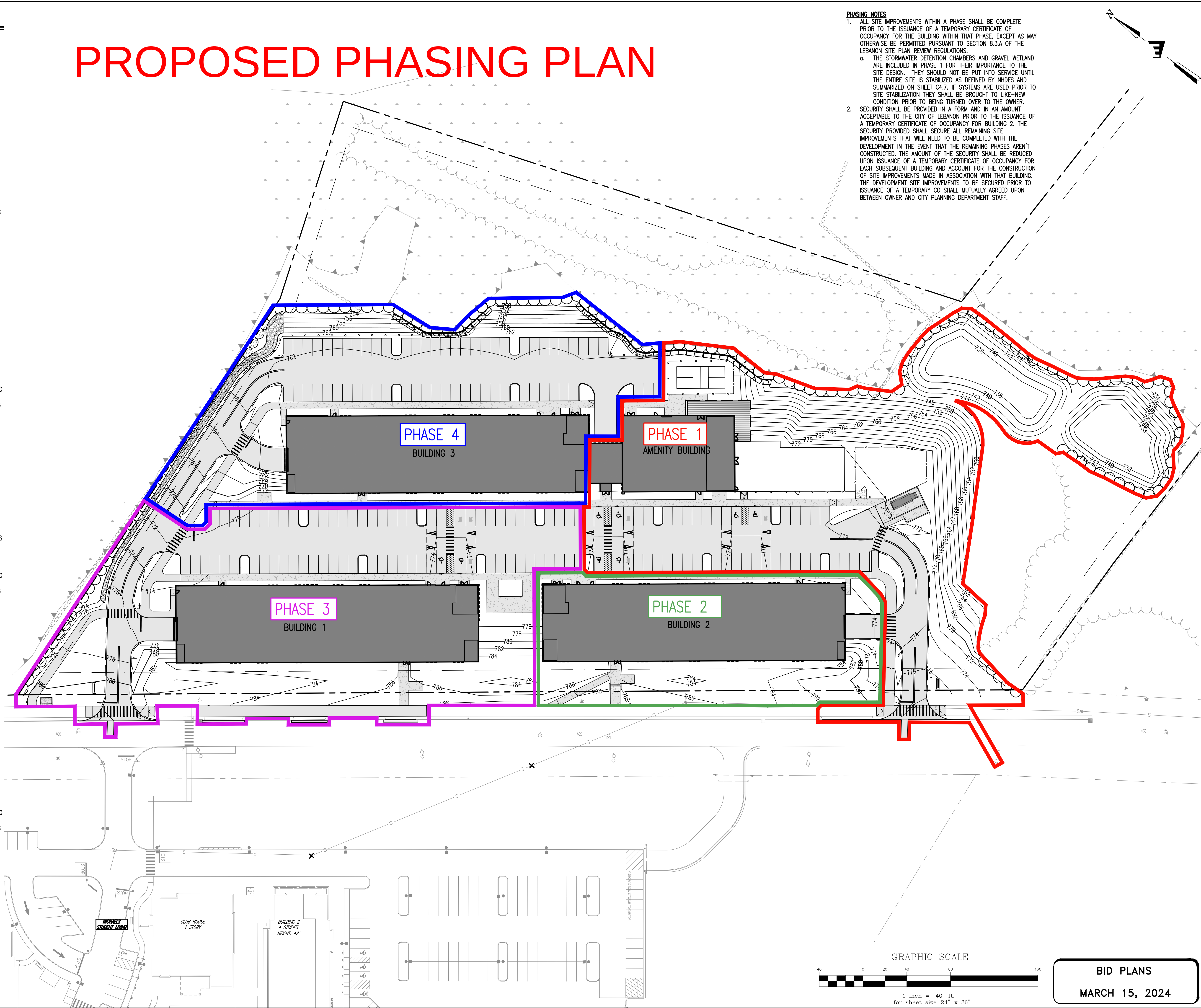
PHASE 3 (BUILDING 1 AND NORTH PARKING)

- CONSTRUCTION SCHEDULE
 - AUGUST 1, 2024 TO JULY 30, 2026
 - START AND END DATES ARE ESTIMATES AND MAY VARY
 - SOME ITEMS MAY BE COMPLETED AS PARTS OF EARLIER PHASES
- SECURE BUILDING PERMIT PRIOR TO DECEMBER 1, 2025
- CONSTRUCT FOLLOWING SITE IMPROVEMENTS
 - SELECTED ROADWAY/PARKING GRAVELS
 - BUILDING 1
 - SEWER, WATER, AND STORM DRAINAGE SERVICE CONNECTIONS TO BUILDING 1
 - WIRE UTILITIES (PHONE/CABLE/ELECTRIC) SERVICE CONNECTIONS TO BUILDING 1
 - BUILDING 1 GARAGE DRIVEWAY
 - SIDEWALKS ASSOCIATED WITH BUILDING 1
 - PARKING WITHIN PHASE 3
 - LANDSCAPING AND SITE LIGHTING WITHIN PHASE 3.
 - SITE FURNITURE AND AMENITIES
 - NORTHERN SITE DRIVEWAY
 - NORTHERN PEDESTRIAN CONNECTION TO PUBLIC R.O.W.
 - BASE AND TOP COAT PAVING
 - SIGNAGE AND PAVEMENT MARKINGS
- PHASE 3 CONSTRUCTION SHALL ACHIEVE "ACTIVE AND SUBSTANTIAL DEVELOPMENT", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.A, BY JANUARY 31, 2025.
- PHASE 3 CONSTRUCTION SHALL ACHIEVE "SUBSTANTIAL COMPLETION", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.B, BY JULY 31, 2026.

PHASE 4 (BUILDING 3, NORTH ENTRANCE AND EAST PARKING)

- CONSTRUCTION SCHEDULE
 - AUGUST 1, 2024 TO OCTOBER 30, 2026
 - START AND END DATES ARE ESTIMATES AND MAY VARY
- SECURE BUILDING PERMIT PRIOR TO DECEMBER 1, 2025
- CONSTRUCT FOLLOWING SITE IMPROVEMENTS
 - RETAINING WALLS
 - SELECTED ROADWAY/PARKING GRAVELS
 - FENCING AND GUARD RAILS
 - BUILDING 3
 - SEWER, WATER, AND STORM DRAINAGE SERVICE CONNECTIONS TO BUILDING 3
 - WIRE UTILITIES (PHONE/CABLE/ELECTRIC) SERVICE CONNECTIONS TO BUILDING 3
 - BUILDING 3 GARAGE DRIVEWAY
 - SIDEWALKS ASSOCIATED WITH BUILDING 3
 - PARKING WITHIN PHASE 4
 - LANDSCAPING AND SITE LIGHTING WITHIN PHASE 4.
 - BASE AND TOP COAT PAVING
 - SIGNAGE AND PAVEMENT MARKINGS
- PHASE 4 CONSTRUCTION SHALL ACHIEVE "ACTIVE AND SUBSTANTIAL DEVELOPMENT", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.A, BY APRIL 30, 2025.
- PHASE 4 CONSTRUCTION SHALL ACHIEVE "SUBSTANTIAL COMPLETION", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.B, BY OCTOBER 31, 2026.

PROPOSED PHASING PLAN



PHASING NOTES

1. ALL SITE IMPROVEMENTS WITHIN A PHASE SHALL BE COMPLETE PRIOR TO THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY FOR THE BUILDING WITHIN THAT PHASE, EXCEPT AS MAY OTHERWISE BE PERMITTED PURSUANT TO SECTION 8.3.A OF THE LEBANON SITE PLAN REVIEW REGULATIONS.
 - a. THE STORMWATER DETENTION CHAMBERS AND GRAVEL WETLAND ARE INCLUDED IN PHASE 1 FOR THEIR IMPORTANCE TO THE SITE DESIGN. THEY SHOULD NOT BE PUT INTO SERVICE UNTIL THE ENTIRE SITE IS STABILIZED AS DEFINED BY NHDES AND SUMMARIZED ON SHEET C4.7. IF SYSTEMS ARE USED PRIOR TO SITE STABILIZATION THEY SHALL BE BROUGHT TO LIKE-NEW CONDITION PRIOR TO BEING TURNED OVER TO THE OWNER.
2. SECURITY SHALL BE PROVIDED IN A FORM AND IN AN AMOUNT ACCEPTABLE TO THE CITY OF LEBANON PRIOR TO THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY FOR BUILDING 2. THE SECURITY PROVIDED SHALL SECURE ALL REMAINING SITE IMPROVEMENTS THAT WILL NEED TO BE COMPLETED WITH THE DEVELOPMENT IN THE EVENT THAT THE REMAINING PHASES AREN'T CONSTRUCTED. THE AMOUNT OF THE SECURITY SHALL BE REDUCED UPON ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY FOR EACH SUBSEQUENT BUILDING AND ACCOUNT FOR THE CONSTRUCTION OF SITE IMPROVEMENTS MADE IN ASSOCIATION WITH THAT BUILDING. THE DEVELOPMENT SITE IMPROVEMENTS TO BE SECURED PRIOR TO ISSUANCE OF A TEMPORARY CO SHALL MUTUALLY AGREED UPON BETWEEN OWNER AND CITY PLANNING DEPARTMENT STAFF.

Stamp	
No.	Description
1	REVISED PER CONTRACTORS COMMENTS
2	REVISED PER STAFF COMMENTS
	Date
	06/06/2024
	07/01/2024

ENGINEERING
VENTURES
PC

208 Flynn Avenue, Suite 2A, Burlington, VT 05401 • 802-863-6225
85 Mechanic Street, Suite E2-3, Lebanon, NH 03766 • 603-442-9333
414 Union Street, Schenectady, NY 12305 • 518-630-9614
www.engineeringventures.com

SPNH LEBANON NORTH, LLC
c/o SAXON PARTNERS
25 RECREATION PARK DRIVE, SUITE 204
HINGHAM, MA 02043
781-875-3300

PROJECT PHASING PLAN

MAREK 2
392 & 402 MT SUPPORT ROAD
CITY OF LEBANON, GRAFTON COUNTY, NEW HAMPSHIRE

EV Project #	22715
Drawn By:	JWF
Checked By:	NAF
Scale:	1" = 40'
Date:	03/15/2024

C0.3

BID PLANS
MARCH 15, 2024

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

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

E-MAIL ADDRESS: info@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 #: 58 LOT#: 18 PLOT #: ZONE: R3

STREET ADDRESS OF PROJECT: 0 Beyerle Street, West Lebanon, NH 03784

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

SCOPE OF PROJECT:

Conditional Use Permit for Cottage Development under Lebanon Zoning Ordinance Section 509

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 June 10, 2024, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: David Clem DATE: 3/10/2024

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: 3/10/2024

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



City of Lebanon, New Hampshire

APPLICATION FOR CONDITIONAL USE PERMIT SUPPORT STATEMENT

Office Use Only

Date Received:

Application No.:

I. APPLICATION CHECKLIST

- [Application form](#)
- [Public Hearing Notification List](#)
- [Filing fee](#)
- *This form, including written responses to the Section 302.4.D requirements, outlined below*
- *A site plan*
- *Optional: photos and any other materials in support of your application*

II. PROJECT DESCRIPTION

I (we) hereby request a Conditional Use Permit as provided for in [Article V, Section 509](#), of the Lebanon Zoning Ordinance.

Please describe your proposed project with as much detail as possible. You can respond in the space provided below or on a separate sheet of paper.

Crafts Cottage Court is a proposed 16-unit Cottage Development on Lebanon Parcel 58-18 (0 Beyerle Street), a 1.3 acre parcel accessed off of Crafts Avenue.

The Court is proposed under the [Section 509: Cottage Development](#) zoning amendment that was approved by Lebanon voters on March 14, 2023.

An illustrative Site Plan (attached) has been prepared for this Conditional Use Permit by R. John Anderson, based upon a parcel plan completed by Paton Land Survey on March 18, 2021. John has specific experience with Cottage Courts, having designed and built a number of them. John is an outspoken proponent of Missing Middle Housing and a member of the Congress for New Urbanism.

The court will be accessed via a driveway easement from Crafts Avenue to be granted by Parcel 58-19 (51 Crafts Avenue).

Of note, Parcel Parcel 58-19 utilizes its portion of the platted but unaccepted "Beyerle Street" corridor. Parcel 58-18 utilizes its portions of the platted but unaccepted "Beyerle Street" and "Lincoln Avenue" corridor.

According to "A Hard Road to Travel' NHMA's Handbook on New Hampshire Law of Local Highways, Streets and Trails" by H. Bernard Waugh (1997), "it is well settled that abutters are presumed to own title to the center of a street or way."

Additional optional materials may be submitted ahead of the Planning Board review meeting.

III. CONDITIONAL USE PERMIT CRITERIA

In order to obtain a Conditional Use Permit, you must demonstrate to the Planning Board that the proposal satisfies the applicable criteria set forth in Sections A and B below. You must address each criteria in the space provided or on a separate sheet of paper.

A. Specific Criteria

The Conditional Use Permit is authorized by Article V, Section 509 of the Zoning Ordinance which requires the applicant to demonstrate that *(please address any criteria set forth in the Zoning Ordinance that specifically apply to your proposed use or project*

B. General Criteria per Section 302.4.D

A conditional use permit shall be granted only if the Planning Board determines that the proposal conforms to all of the following standards:

1. The site is suitable for the proposal. This includes:
 - a. Adequate vehicular and pedestrian access for the intended use.

Access is via a the property owner's portion of the platted (but unaccepted and subsequently abandoned) Beyerle Street, as shown on the 1892 Beyerle subdivision and subsequent maps. This aligns with the neighborhood street grid, and existing intersection. Pedestrian access linking to the sidewalk on Crafts Avenue will be provided.

- b. The availability of adequate public services to serve the intended use including emergency services, pedestrian facilities, safe access, and other municipal services.

Crafts Avenue is presently serviced by the City of Lebanon, and this development will benefit from the same services as existing residences in the neighborhood which are adequate to serve the project.

- c. The absence of environmental constraints (floodplain, steep slope, etc.) proposed to be impacted by the intended use.

The parcel does not have any wetlands or steep slopes, and is outside of the FEMA floodplain and the Lebanon Riverbank Protection District. The parcel falls within the 250-foot NH DES Shoreland Protection Zone where this type of development is regulated.



- d. The availability of appropriate utilities to serve the intended use including water, sewage disposal, stormwater treatment, electricity, and similar utilities.

This project takes advantage of the modern Sewer and Water lines installed in Crafts Avenue in 2018, which were upsized by the City of Lebanon to ensure capacity for future development.

Stormwater treatment will be handled on-site, taking advantage of the sandy riparian soils and utilizing Low Impact Development and Stormwater Management techniques from the NH DES <https://www.des.nh.gov/sites/g/files/ehbemt341/files/documents/2020-01/wmb-17.pdf>

Electrical service will be coordinated with Liberty Utilities, but existing service is believed to have sufficient capacity.

2. External impacts: The external impacts of the proposed use on abutting properties and the neighborhood shall be commensurate with the impacts of adjacent existing uses or other uses permitted in the zoning district. This shall include, but not be limited to, water runoff, drainage, traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare. In addition, the location, nature, design, and height of the structure and its appurtenances, its scale with reference to its surroundings, and the nature and intensity of the use, shall not have an adverse effect on the surrounding environment nor discourage the appropriate and orderly development and use of land and buildings in the neighborhood. The proportion of the site proposed to be occupied by impervious surfaces shall be minimized to the extent necessary to preclude unreasonable risk of runoff, erosion, sedimentation, and other potentially adverse on- site or off-site effects.

This residential development is commensurate with the impacts of adjacent existing residential uses in the R-3 Zoning District, and the clustering of smaller units is the intention of the **Section 509 Cottage Development** ordinance.

Water runoff and drainage will be addressed on-site and meet NH DES requirements.

Traffic and noise should be commensurate to comparable residential housing, and smaller units help reduce the parking demand and traffic generation. The project is located 0.2 miles (4 minute walk) from the existing Advance Transit stop on North Main Street and a 4-line transit hub has been proposed at the River Park project.

Upon completion, noise, odors, vibrations, dust, fumes, and hours of operation should be no different than expected in a residential neighborhood. Best practices will be utilized during construction to minimize impacts on the existing neighborhood. Exterior lighting will be designed according to best practices to limit any impact on surrounding properties.

The underlying R-3 zoning (Section 310) allows for up to 35' in height. The Cottage Development (Section 509) further restricts the height to 24'. The majority of cottages will be well below this height; the tallest are the two "Garden Duplexes" which fall below the 24' threshold.

The parcel is 10-20 feet lower topographically than the existing residences on Crafts Avenue, further mitigating concerns about height and scale.

The access drive and parking area has been designed in accordance with 2018 International Fire Code Section D103.1, incorporating a 120' "Hammerhead" for Fire Apparatus access within the parking area. This minimizes impervious surface, while meeting life-safety and parking requirements.

3. Character of the site development: The proposed layout and design of the site shall not be incompatible with the established character of the neighborhood and shall mitigate any external impacts on abutters, the neighborhood, and nearby public ways and infrastructure. This shall include, but not be limited to, the relationship of the building(s) to the street, the amount, location, and screening of off-street parking, the treatment of yards and setbacks, the buffering of adjacent properties, and provisions for vehicular and pedestrian access to and within the site.

The history of the Crafts Avenue neighborhood has been well-documented by the Lebanon Heritage Commission, and has undergone multiple rounds of development since the 1892 subdivision by George Beyerle which converted the farmland for residential development to meet the growing housing needs in West Lebanon in the late 19th century. Of note, Crafts Avenue is “possibly the first intentional suburban development in Lebanon.”

<https://lebanonnh.gov/1200/Crafts-Avenue-Historic-District>

The Crafts Avenue neighborhood was analyzed as a potential historic district by the Lebanon Heritage Commission in 2013, but it was never deemed a historic district. The project is located on a parcel that falls outside of the historic area.

The cottage designs incorporated into the proposal reflect an architectural vernacular that is appropriate to the region, and reflect the architectural variety and character currently found on Crafts Avenue.

The cottages have been sited to the West of the property, providing relief from existing neighboring homes on Crafts Avenue.

The access drive utilizes part of the platted (but unaccepted) westerly extension of Beyerle Street, where there is an existing 3-way intersection with Stop signs in all directions.

Parking has been sited on the Eastern side of the parcel, where it is centralized to prioritize the pedestrian-orientation of the Cottage Court. There are 21 total parking spaces (17 surface spots and four (4) garage spots in the two Garden Duplexes) for a 1.3 Parking ratio.

The parking has been intentionally sited where the greatest impact is on 51 Crafts Avenue, which has common ownership with the development.

Centralized trash collection has also been located away from existing neighbors and the Cottage area, and is screened in along the shared boundary with 51 Crafts Avenue.

4. Character of the buildings and structures: The design of any new buildings or structures and the modification of existing buildings or structures on the site shall not be incompatible with the established character of the neighborhood. This shall include, but not be limited to, the scale, height, and massing of the building or structure, the roof line, locations of access, and visual compatibility with the area.

As mentioned herein: the cottage designs incorporated into the proposal reflect an architectural vernacular that is appropriate to the region, and specifically to reflect the architectural variety and character currently found on Crafts Avenue. All units are below the height limitations, and the massing is further mitigated by the ~10-20’ drop in topography from Crafts Avenue

5. Preservation of natural, cultural, historic, and scenic resources: The proposed use and layout of the site, including all related development activities, shall to the greatest extent practicable preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties. This shall include, but not be limited to, identified wetlands, floodplains, significant wildlife habitat and documented wildlife corridors, stonewalls, mature tree lines, identified historic buildings or sites, scenic views, and viewsheds.

There are no wetlands on the parcel, it is outside of the floodplain, and does not impact significant wildlife habitat or the City of Lebanon’s wildlife corridors:

(<https://lebanonnh.gov/853/Lebanons-Wildlife-Corridors>).

There are no stonewalls or mature tree lines impacted.

As referenced in Section 3 above, the parcel is located outside of the “Crafts Avenue Historic

District” that was studied by the Lebanon Heritage Commission.

Access path(s) have been included to connect to future/proposed pedestrian trails along the Connecticut River. This aligns with the “Lincoln Avenue” corridor that has been proposed as a Greenway route by Lyme Properties and XYZ Dairy, LLC in 2008 and 2021.



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

Planning and Development Director – Nathan Reichert

TO: Lebanon Planning Board
Chairman Andrew Faunce

RE: Cottage Development Parking Requirements

1 July 2024

Chairman Faunce and Members of the Planning Board:

The Planning Board has posed the following question to the Zoning Administrator:
What are the minimum parking requirements necessitated by the Zoning Ordinance for a Cottage Development pursuant to *Section §509 Cottage Development of the Lebanon Zoning Ordinance*?

The subject of this review was limited to the question of parking only. The application was not reviewed for compliance with any other elements of the Zoning Ordinance.

After being posed this question the Zoning Official reached out to the Applicant for PB2024-23-CON at 0 Beyerle Street. An opportunity for the Applicant to provide additional materials or submissions to clarify their reading of the Zoning Ordinance and its requirements was provided. The Applicant chose to decline submitting any additional material to the record.

The interpretation of the Zoning Ordinance rests with the Zoning Administrator. Appeal of the interpretation of the Zoning Administrator is the jurisdiction of the Zoning Board.

Applicable Zoning Ordinance

SECTION §509 COTTAGE DEVELOPMENTS.

509.1 Purpose. *The purpose of this section is to provide opportunities for single family housing that is small, energy-efficient, and affordable; to allow flexibility in site and design standards while promoting projects that ensure compatibility with surrounding land uses and existing neighborhoods; and to promote sustainability and neighborhood interaction through integrated design.*

Cottage developments are intended to serve as part of the City's overall housing strategy to encourage affordability, innovation and variety in housing design and site development while ensuring compatibility with existing neighborhoods, and to promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition and individual needs.

509.3 Number and Arrangement of Units. *Cottage developments shall contain a minimum of three (3) and a maximum of sixteen (16) cottages, located in one or more clusters to maximize efficiency of land use and to encourage a sense of community among the residents. Each cluster shall include a minimum of three (3) units.*

COTTAGE DEVELOPMENT: A development on a single lot having shared open space intended to serve **cottages** that interact together as a small community.

COTTAGE: A **detached one-family dwelling unit** with a maximum gross living area of one thousand, five hundred square feet (1,500 sq. ft.) and a maximum footprint of one thousand square feet (1,000 sq. ft.). Spaces with a ceiling height of six feet or less measured to the exterior walls, such as in a second-floor area under the slope of the roof, shall be excluded when calculating the total floor area of a cottage. Cottages may also be attached horizontally in blocks of no more than three (3) units.

DWELLING, ONE-FAMILY: A dwelling with one (1) dwelling unit.

DWELLING UNIT: One or more rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, rental or lease, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking, sanitary and sleeping facilities. The term includes sectional homes and modular units but does not include manufactured housing, motel, hotel, lodging house or similar structures.

DWELLING: A building, or space within a building, designed for and used primarily by one or more families for living quarters including permanent provisions for sleeping, eating, cooking and sanitation, but not including recreational vehicles (RVs), manufactured housing, trailers of any kind, hotels, motels, group residences, lodging houses, institutional homes, residential clubs, or other commercial accommodations offered for occupancy.

607.1 Table of Minimum Off-Street Parking Requirements.

A. Except as otherwise provided below, a lot shall provide the minimum number of off-street parking spaces as set forth in the following "Table of Minimum Off-Street Parking Requirements." For uses not listed in the table, the minimum requirement shall be that of the closest similar use as determined by the Zoning Administrator.

TABLE OF MINIMUM OFF-STREET PARKING REQUIREMENTS

(Rounded down to the nearest whole - See Section 607.2)

TYPE OF USE: RESIDENTIAL: Dwelling, One-family/Two-family detached and attached.

UNITS OF MEASUREMENT: Dwelling units

PARKING SPACES PER UNIT (I.E. RATIO): 2.0

Logic of Interpretation

A Cottage Development states in §509.1 Purpose is to “**provide opportunities for single family housing**”.

§509.3 Further requires that “**minimum of three (3) and a maximum of sixteen (16) cottages**” may be provided.

The definition section of the Zoning Ordinance defines a Cottage as being a “**detached one-family dwelling unit**.”

§607.1.A Table of Minimum Off-Street Parking Requirements requires:

A. Except as otherwise provided below, a lot shall provide the minimum number of off-street parking spaces as set forth in the following "**Table of Minimum Off-Street Parking Requirements.**"

The Use of a Cottage within a Cottage Development is a "***detached one-family dwelling unit***" by definition.

The Table calls out that a Dwelling, "**One-family/Two-family detached and attached**" as measured in "**dwelling units**" requires "**2**" "**Parking Spaces Per Unit.**"

Conclusion

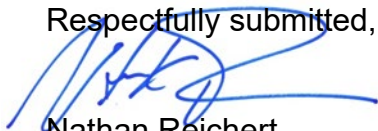
Pursuant to the applicable Zoning Ordinance requirements above, a 16-dwelling unit Cottage Development will require a minimum number of 32 parking spaces onsite.

Options

The applicant has three basic options in the case:

1. Re-design the development in such a way as to provide 32 parking spaces.
2. Obtain a variance from the Zoning Board of Review.
3. Appeal the interpretation of the Zoning Administrator to the Zoning Board of Review.
4. Work with the Planning Board, Planning Staff, and the City Council to amend the Zoning Ordinance thereby reducing the required number of parking spaces for the proposed development.

Respectfully submitted,



Nathan Reichert
Director Planning and Development
Zoning Administrator

SITE PLAN REVIEW		
TOTAL DUE AT TIME OF FILING		\$
**Engineering Review fees will also be required. See note on page 2.		

SITE PLAN REVIEW AMENDMENT (WITH STRUCTURAL CHANGES)		
		TOTALS
FILING FEE	\$250.00	\$250.00
SQUARE FOOTAGE	\$75.00 per 1,000 sq. ft. (gross floor area)	
ADVERTISING FEE	\$100.00	\$100.00
NOTIFICATION FEE (see note below)	\$5.00 + Current USPS rate per certified notice (see below) X _____ notices	\$5.00 \$ _____ (abutter certified)
TOTAL DUE AT TIME OF FILING		\$
**Engineering Review fees may also be required. See note below.		

OTHER		
-SITE PLAN REVIEW AMENDMENT (WITH NO STRUCTURAL CHANGES)		
-EXTENSION REQUESTS		
-CONDITIONAL USE PERMITS		
Filing fee&PSign fee not due, paid from previous app (CJAT/Planning Dept)		
		TOTALS
FILING FEE	\$250.00	\$250.00
ADVERTISING FEE	\$100.00	\$100.00
NOTIFICATION FEE (see note below)	\$5.00 + Current USPS rate per certified notice (see below) X <u>10</u> notices	\$5.00 \$ <u>50.40</u> (abutter certified)
TOTAL DUE AT TIME OF FILING		\$ <u>155.40</u>
**Engineering Review fees may also be required. See note below.		

MINOR SITE PLAN REVIEW		
		TOTALS
FILING FEE	\$150.00	\$150.00
NOTIFICATION FEE (see note below)	Current USPS rate per certified notice (see below) X _____ notices	\$ _____ (abutter certified)
TOTAL DUE		\$

ENGINEERING REVIEW FEES:

After an application to the Planning Board is submitted and the filing fees identified above have been paid, the Planning & Development Department will determine the scope of required engineering review and will obtain an estimated cost from the reviewing engineer. A cost estimate of the review fees will usually be generated within two (2) – three (3) business days. Once conveyed to the applicant, the estimated review fees shall be paid by the applicant within five (5) business days, and an escrow account shall be established by the Planning & Development Department. No plans will be reviewed unless and until the review fee estimate is paid, if required.

Please note that escrow fees are only an estimate of what services will cost and actual costs of review may be less or more than the amount initially estimated. Any unused portion of the escrow will be returned to the applicant at the end of the approval process if such a surplus remains. Additionally, in the event the escrow amount does not cover the full cost of services the Applicant shall pay any remaining costs as a condition of approval. See also Section 4.7 of the Site Plan Review Regulations and Section 7.7 of the Subdivision Regulations.

NOTIFICATION FEE: CURRENT FEE as of January 2024 is \$5.04 per certified notice

THE CERTIFIED NOTIFICATION FEE IN ALL SECTIONS ABOVE INCLUDES THE FOLLOWING: ALL ABUTTERS, THE APPLICANT, PROPERTY OWNER, HOLDER OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTION(S); AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR OR SOIL SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD AND ANY OTHER PERSONS REQUIRED BY RSA 676:4, I(d).

CERTIFIED NOTIFICATION LIST

Notice shall be sent by certified mail to the Owner; Applicant, if different from Owner; Abutters; Holders of conservation, preservation, or agricultural preservation restrictions (as defined under RSA 477:45) on the subject property; the holders of easements, rights-of-way, and other restrictions; and every engineer, architect, land surveyor, or soil or wetlands scientist whose seal appears on any plan submitted to the Board; and any other persons required by RSA 676:4, I(d). The names and mailing addresses shall be furnished by the Applicant.

672:3 Abutter. – "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A:1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board.

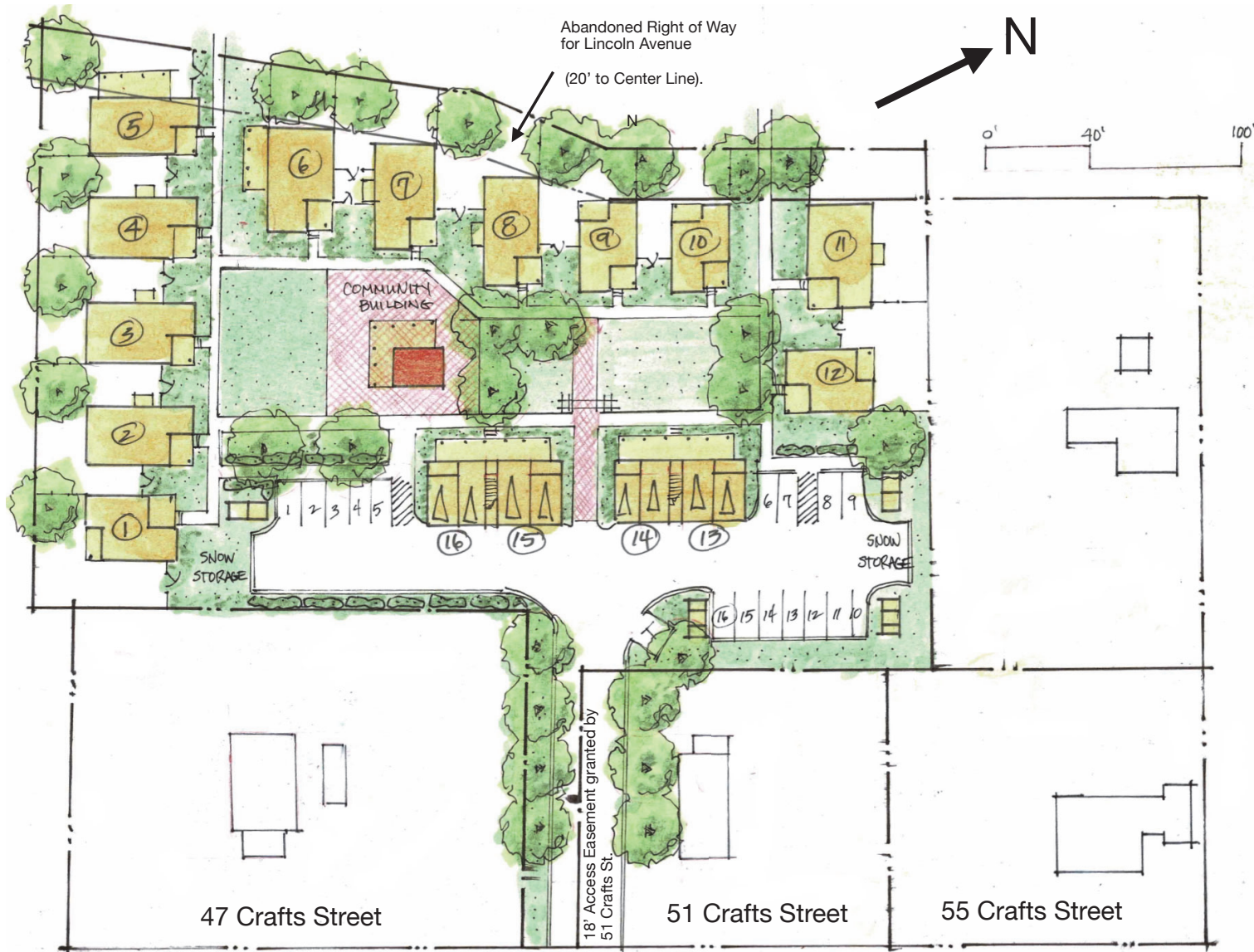
Source. 1983, 447:1. 1986, 33:2. 2002, 216:1, eff. July 15, 2002.

PLEASE PROVIDE NAMES & MAILING ADDRESSES FOR ALL PERSONS LISTED ABOVE.

Map & Lot Number: 58-18	Map & Lot Number: Duplicate no need to send
Property Owner: XYZ DAIRY LLC 57 MAIN ST WEST LEBANON, NH 03784	Applicant, Co-Applicant, Agent, or Lessee: LYME PROPERTIES 57 MAIN STREET WEST LEBANON, NH 03784
Map & Lot Number: 58-19 Duplicate no need to send	Map & Lot Number: 58-12
XYZ DAIRY LLC 57 MAIN ST WEST LEBANON, NH 03784	TOWNSEND III, WINTHROP 1823 US ROUTE 5 NORTH WINDSOR, VT 05089
Map & Lot Number: 58-17	Map & Lot Number: 58-20
SAUNDERS, CLIFFORD 45 CRAFTS AVE WEST LEBANON, NH 03784	FEHSENFELD, COURTNEY 55 CRAFTS AVE WEST LEBANON, NH 03784

Map & Lot Number: 58-74	Map & Lot Number: 58-75
ANDERSEN, THOMAS H 44 CRAFTS AVE WEST LEBANON, NH 03784	MERRILL SR, ROBERT S 10 BEYERLE ST WEST LEBANON, NH 03784
Map & Lot Number: 58-16	Map & Lot Number: 58-76
CHAPMAN C G & R A TTEES 43 CRAFTS AVE WEST LEBANON, NH 03784	GREENSTEIN, SM & L J CO-TTEES 24 WILDWOOD DR WEST LEBANON, NH 03784
Map & Lot Number: DESIGNER	Map & Lot Number: SURVEYOR
R. JOHN ANDERSON CONSULTING 3040 PARK ST EAST POINT, GA 30344	PATON SURVEYING LLC 150 SOUTHBRIDGE ST SPRINGFIELD, VT 05156
Map & Lot Number:	Map & Lot Number:
Map & Lot Number:	Map & Lot Number:
Map & Lot Number:	Map & Lot Number:
Map & Lot Number:	Map & Lot Number:

(Revised 2/8/2024)



Illustrative Site Plan
Sheet S - 1

Map 58 Lot 16
41 Crafts Ave.

Map 58 Lot 12
0 Crafts Ave.

Map 58 Lot 17
43 Crafts Ave.

Map 58 Lot 19
51 Crafts Ave.

Map 58 Lot 20
55 Crafts Ave.

Version 3 - Summary Notes:

- 16 Units on a 1.33 Acre Site. Zoned R-3.
- Site Area exceeds the R-3 min. of 40,000 SF.
- 12 Detached Cottages
- 4 duplex units over garages. (25% attached units)
- 10' - 12' Minimum separation between cottages.
- All porches are at least 96 SF with a min. depth of 8'
- All front porches face onto the Common Open Space.
- Single story cottages are 18'-22' in height, depending upon the roof pitch.
- Two story duplex over garage buildings are 23' in height with a 4:12 roof pitch, just under the maximum of 24'.
- Parking areas are screened from the common open space and from adjoining properties with landscaping.
- Driveway conforms to the 120' Hammerhead Fire Access Way shown in the fire code.
- Each building has a delineated building site in excess of the min. 1,500 SF.
- The 8,570 SF Common Open Space exceeds the min. 6,400 (400 SF x 16 units).
- Cottages 5, 6, 7, 14, 15, 16 are 1 bedroom / 1 bath units of 504 SF.
- Cottages 12, 13 are 1 bedroom / 1.5 bath units of 700 SF.
- Cottages 8, 9, 10, 11 are 2 bedroom / 2 bath units of 888 SF.
- The 4 duplex units (1, 2, 3, 4) over the garages are 624 SF 1 bedroom/1 bath units.
- 24 Surface parking spaces are provided with another 8 parking spaces in the ground floor garages of the duplex buildings for a total of 32 spaces. 32 spaces is 2.0/unit.

Crafts Avenue Cottages

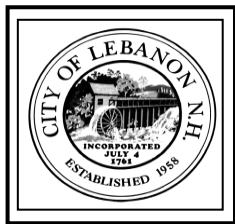
Lebanon, NH

Prepared for Lyme Properties

Prepared by R. John Anderson Urban Design

July 5, 2024

Illustrative Site Plan
Sheet S - 1



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Planning Board

FROM: Planning and Development Department Staff

RE: July 8, 2024 Planning Board Meeting - Agenda Item 4.A
Marlee Dixon/Greg Hagley Appeal of Impact Fee Assessment -
78 Bank Street (Tax Map 92, Lot 106), Zoned R-O

DATE: July 4, 2024

INTRODUCTION

On June 10, 2024, the Planning & Development Department received a letter from Marlee Dixon and Greg Hagley requesting a waiver of impact fees assessed against their property at 78 Bank Street. Ms. Dixon and Mr. Hagley purchased the property in January 2024 and converted it from an office use to a one-family dwelling. Per Section 213.8.B of the Zoning Ordinance, the Planning Board is authorized to grant full or partial waivers if an applicant satisfies the criteria set forth in either Section 213.8.B.1 or 2 (see below for discussion).

BACKGROUND

The property at 78 Bank Street (Tax Map 92, Lot 106), located in the Residential Two (R-2) zoning district, was constructed in 1800 according to the City's assessing records. On February 6, 1989, the Zoning Board of Adjustment granted a Special Exception for the property to "permit a professional office in a residential building" (quoting the ZBA's Notice of Decision for ZB-32-109-89), followed by Site Plan approval from the Planning Board on March 27, 1989 for "a proposed 1,750 sq. ft. office at Bank Street," (quoting the Planning Board's Notice Action for PB32-10-89). To staff's knowledge, the building at 78 Bank Street was used as a professional office through the end of 2023.

On January 31, 2024, the property was sold to Marlee Dixon and Gregory Hagley who subsequently sought approval from the City to convert the use of the building to a one-family dwelling (which is a permitted use in the R-2 District). In connection with Ms. Dixon and Mr. Hagley's proposed conversion from an office to a one-family use, the Planning & Development Department has assessed impact fees pursuant to Section 213 of the Zoning Ordinance. A copy of the Impact Fee Acknowledgement Form/Invoice is attached for reference.

Pursuant to Section 213.4 of the Zoning Ordinance, the Planning Board has authorized the assessment of impact fees relative to the proportional demand of new development on the City's recreation, Fire Department, and Police Department capital facilities and the capital facilities of the School District. Pursuant to Section 213 of the Zoning Ordinance, new development includes the creation of a new dwelling unit and the conversion of a legally existing use which would result in a net increase in the number of dwelling units. See Section 213.3.E(1) and (3).

Lebanon's impact fee ordinance was first adopted in 1991 and repealed in 1999. A new ordinance was adopted in 2001 as Section 213 of the Zoning Ordinance which was then replaced with a re-

write of Section 213 in 2009. The adoption of Lebanon's initial impact fee ordinance and all amendments thereto occurred after conversion of the building at 78 Bank Street from an office to a residential use 35 years ago in 1989.

Pursuant to the authority granted under Sections 213.4 ("Authority to Assess Impact Fees"), 213.5 ("Standards and Basis of Assessment"), and 213.6 ("Review and Change in Assessment Schedules") of the Zoning Ordinance, the Planning Board has adopted an impact fee schedule which assesses fees based on the area of the building to be occupied by the proposed use. For residential uses, the impact fee is calculated by multiplying the total gross living area (GLA) by the per square foot fee for each category. For example, if the gross living area of a new home is 2,000 sq. ft., the school impact fee is calculated as follows: 2,000 sq. ft. GLA x \$2.00 per sq. ft. = \$4,000.

With respect to the proposed one-family conversion of 78 Bank Street, the total impact fee is **\$5,311.76**, which calculated pursuant to the current impact fee schedule that was adopted by the Planning Board on October 12, 2021¹. See attached Impact Fee Acknowledgement/Invoice. The assessed impact fee was also calculated in accordance with Section 213.5.D which addresses use conversions (as opposed to new construction):

- D. In the case of new development created by conversion or modification of an existing use, the impact fee shall be based upon the net positive increase in the impact fee assessed for the new use for each category of impact fee assessment as compared to the highest impact fee that was or would have been assessed for each category of impact fee assessment for the previous use in existence on or after the effective date of this Ordinance.

Pursuant to Section 213.5.D, the impact fee for the 78 Bank Street conversion is "discounted" \$0.10 per sq. ft. for the Recreation fee and \$0.26 per sq. ft. for the Police Department fee, and is reduced to \$0.00 for the Fire Department fee since the Fire Department rate for commercial uses is actually higher than the rate for single-family uses. The school fee is assessed at the full \$2.00 per square foot rate since school impact fees are not assessed for non-residential development. Consequently, the effective impact fee rates for the proposed conversion are shown in red below (image taken from the attached Impact Fee Acknowledgement/Invoice):

Structure Type or Use	Impact Fees Per Square Foot - 2021 Update				
	Schools *	Recreation	Police Dept	Fire Dept	Total
Residential Development					
<i>Per Sq. Ft. Gross Living Area</i>					
Single Family Detached	\$2.00	\$0.76	\$0.28	\$0.20	\$3.24
All Other Housing Units	\$1.45	\$0.69	\$0.25	\$0.40	\$2.79
Non-Residential Development					
<i>Per Sq. Ft. Gross Floor Area</i>					
Retail, Restaurants and Lodging	---	\$0.06	\$0.36	\$0.36	\$0.78
Offices and Commercial Services	---	\$0.10	\$0.26	\$0.31	\$0.67
Industrial, Transp, Whse, Commun.	---	\$0.04	\$0.10	\$0.10	\$0.24
Nursing & Licensed Care Facilities	---	\$0.03	\$0.05	\$0.45	\$0.53
Other Institutional Uses	---	\$0.03	\$0.29	\$0.26	\$0.58
	\$2.00**	\$0.66**	\$0.02**	\$0.00**	\$2.68

¹ Note that the total owed would be \$7,888.36 if the current impact fee schedule which was adopted by the Planning Board on May 20, 2024, was in effect at the time that the impact fee in question was assessed.

ZONING ORDINANCE

The Planning Board is authorized to grant *full or partial* waivers of impact fees pursuant to Section 213.8.B of the Zoning Ordinance, which provides as follows:

- B. The Planning Board may grant full or partial waivers of impact fees to an assessed property where the Board based on credible evidence presented by the applicant finds that one or more of the following criteria are met with respect to the particular public capital facilities for which impact fees are normally assessed:
1. An assessed property may apply to the Planning Board for a full or partial waiver of impact fee assessments imposed by this Ordinance on the basis of other contributions toward public capital facilities. The amount of such a waiver shall not exceed the value of land, facilities construction, or other contributions for public capital facilities. The value of on-site and off-site improvements which are required by the Planning Board as a result of subdivision or site plan review, and which would have to be completed by the developer, regardless of the impact fee provisions, shall not be considered eligible for waiver under this Ordinance. The value of contributions or improvements shall be credited only toward facilities of like kind, and may not be credited to other categories of impact fee assessment. All costs incurred by the City for the review of a proposed waiver, including consultant and counsel fees, shall be paid by the applicant.
 2. The Planning Board may waive an impact fee, in whole or in part where, in the opinion of the Board, such fee would, due to interference with constitutionally-vested rights, pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of this Ordinance.

In order to grant a waiver from all or any portion of impact fees assessed pursuant to Section 213 of the Zoning Ordinance, the Board must find that the applicant has satisfied the criteria in one or both of the Section 213.8.B criteria set forth above.

ATTACHMENTS

- Impact Fee Acknowledgement Form/Invoice prepared for 78 Bank Street conversion
- Application:
 - Application form (1 page)
 - Letter dated June 9, 2024 from Marlee Dixon and Greg Hadley (2 pages)
 - Attachments to June 9, 2024 letter from Marlee Dixon and Greg Hadley (3 pages)

Cc (via e-mail): Marlee Dixon
Greg Hagley

IMPACT FEE ACKNOWLEDGMENT/INVOICE

City Tax Map 92 **Lot** 106 **Plot** _____

Planning Board: App.# N/A **Approval Date** N/A **Date Lot was Created** prior to 2009

Building Permit # _____ **Date Building Permit Filed** _____

Property Owner: Gregory Hadley et al

Property Location 78 Bank Street

Total Amount of Gross Living Area or Gross Floor Area (see below definitions) 1,982* **Sq. Ft.**

Impact Fee assessed (School)..... \$ 3,964.00

*Living Area per City
assessing records

Impact Fee assessed (Recreation)..... \$ 1,308.12

Impact Fee assessed (Police)..... \$ 39.64

Impact Fee assessed (Fire)..... \$ 0.00

TOTAL IMPACT FEE ASSESSED..... \$ 5,311.76

TOTAL IMPACT FEE PAID \$ _____

DATE PAID _____

The Impact Fee is assessed at the time of Building Permit application and
must be paid prior to issuance of a Certificate of Occupancy / Certificate of Completion

City of Lebanon, New Hampshire - Impact Fee Schedule as adopted by the Planning Board on 10/12/21

Structure Type or Use	Impact Fees Per Square Foot - 2021 Update				
	Schools *	Recreation	Police Dept	Fire Dept	Total
Residential Development <i>Per Sq. Ft. Gross Living Area</i>					
Single Family Detached	\$2.00	\$0.76	\$0.28	\$0.20	\$3.24
All Other Housing Units	\$1.45	\$0.69	\$0.25	\$0.40	\$2.79
Non-Residential Development <i>Per Sq. Ft. Gross Floor Area</i>					
Retail, Restaurants and Lodging	---	\$0.06	\$0.36	\$0.36	\$0.78
Offices and Commercial Services	---	\$0.10	\$0.26	\$0.31	\$0.67
Industrial, Transp, Whse, Commun.	---	\$0.04	\$0.10	\$0.10	\$0.24
Nursing & Licensed Care Facilities	---	\$0.03	\$0.05	\$0.45	\$0.53
Other Institutional Uses	---	\$0.03	\$0.29	\$0.26	\$0.58
	\$2.00**	\$0.66**	\$0.02**	\$0.00**	\$2.68

Definitions from Appendix A of the Lebanon Zoning Ordinance:

Gross Living Area (Residential): The total area of above-grade residential space within a *dwelling unit* as measured using exterior building dimensions, with a ceiling height of 7 ft. or greater, excluding unheated areas such as garages, enclosed or open porches, covered or open decks, outside stairs, balconies, and other unenclosed areas. The floor area of a walk-out basement with a ceiling height of 7 feet or greater shall be included.

Gross Floor Area (Non-Residential Uses): The total square footage of all floors of a building as measured using exterior building dimensions. For purposes of calculating minimum parking requirements per Section 607.2.A, "gross floor area" shall mean the total square footage of all floors devoted to the use, or accessory to that use, as **measured** using exterior building dimensions.

I acknowledge that as a condition of the Building Permit, the total impact fee assessed above must be paid prior to occupancy and/or the issuance of any Certificate of Occupancy (RSA 674:21 V). I agree that I will not occupy and that I will not permit the occupancy of any buildings described above that are subject to this impact fee prior to payment of such fee. I further agree to notify the Building Inspector of any changes in gross living area for residential uses, and gross floor area for non-residential uses, prior to occupancy.

Property Owner Signature _____ **Date** _____

Where the impact fee rate for a new use is higher than the impact fee rate for the prior use, an impact fee for the new use is assessed based on the difference between the two rates. See Section 213.5.D of the Zoning Ordinance. **Revised 2/26/2024

Lebanon Zoning Ordinance – Selected Text from Section 213 - Impact Fees
(full text available in the Zoning Ordinance last revised February 7, 2024)

Authority. These regulations are authorized by New Hampshire RSA 674:21, V, and other pertinent state law, as an innovative land use control. Under this authority, new development in the City of Lebanon may be assessed impact fees in proportion to its demand on the public capital facilities of the City and the School District. *(Adopted July 15, 2009)*

213.3 Definitions.

- D. **Impact fee** means a fee or assessment imposed upon development, including subdivision, building construction or other land use change, in order to help meet the needs occasioned by the development for the construction or improvement of capital facilities owned or operated by the municipality, including and limited to water treatment and distribution facilities; wastewater treatment and disposal facilities; sanitary sewers; storm water, drainage and flood control facilities; public road systems and rights-of-way; municipal office facilities; public school facilities; the municipality's proportional share of capital facilities of a cooperative or regional school district of which the municipality is a member; public safety facilities; solid waste collection, transfer, recycling, processing and disposal facilities; public libraries; and public recreation facilities, not including public open space.
- E. **New development** means an activity that results in:
- (1) The creation of a new dwelling unit or units or new manufactured housing; or
 - (2) The conversion of a legally existing use, or additions thereto, which would result in a net increase in the number of dwelling units; or
 - (3) Construction resulting in a new non-residential building or a net increase in the gross floor area of any non-residential building; or
 - (4) The conversion of a lawful existing use to another use if such change would result in a net increase in the demand on public capital facilities that are the subject of impact fee assessment.
 - (5) A net increase in a residential building's gross floor area greater than 500 square feet.

Notwithstanding the above, new development shall not include:

- a. The creation of any new studio or one-bedroom accessory dwelling unit with a gross living area of 500 sq. ft. or less;
- b. The replacement of an existing manufactured housing unit or any existing dwelling unit; or
- c. The reconstruction of a structure that has been destroyed by fire or natural disaster where there is no change in size, density, or type of use that would increase the demand on capital facilities for which impact fees are assessed.

213.4 Authority to Assess Impact Fees.

The Planning Board is hereby authorized to assess impact fees upon new development, as herein defined, and in accordance with the standards herein set forth. The Planning Board shall have the authority to adopt regulations to implement the provisions of this Ordinance and to delegate the administrative functions of impact fee assessment, collection and disbursement.

213.7 Assessment and Collection of Impact Fees.

- A. Where subdivision or site plan approval is required for new development, impact fees shall be assessed at the time of Planning Board approval of a subdivision plat or site plan.
- B. When no Planning Board approval is required, or has been made prior to the adoption or amendment of the impact fee Ordinance, impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit.
- C. Impact fees shall be collected at the time a certificate of occupancy is issued. If no certificate of occupancy is required, impact fees shall be collected at the time when the development is ready for its intended use.
- D. The Planning Board and the assessed property owner may establish an alternate, mutually acceptable schedule of payment of impact fees. If an alternate schedule of payment is established, the Planning Board may require the applicant to post security, in the form of a cash bond, letter of credit, or performance bond so as to guarantee future payment of assessed impact fees.

213.9 Appeals under This Section.

- A. A party aggrieved by a decision made by the Zoning Administrator relating to administrative decisions in the assessment or collection of impact fees authorized by this Section may appeal such decision to the Planning Board within 30 days of the administrative decision, and not afterward.
- B. As set forth in RSA 676:5, III, a party aggrieved by a decision of the Planning Board under this Section may not appeal to the Zoning Board of Adjustment, but may appeal to the Grafton County Superior Court as provided by RSA 677:15, as amended.

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~~ Impact Fee Waiver Request

PROPERTY OWNER (APPLICANT):

NAME: Marlee Dixon TEL.#: 970-485-5048

MAILING ADDRESS: 78 Bank Street, Lebanon, NH 03766

E-MAIL ADDRESS: Marleedixon@hotmail.com

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Gregory Hagley TEL.#: 978-985-3051

MAILING ADDRESS: 78 Bank Street, Lebanon, NH 03766

E-MAIL ADDRESS: greg.hagley@gmail.com

PROJECT LOCATION:

TAX MAP #: LOT #: PLOT #: ZONE: RO

STREET ADDRESS OF PROJECT: 78 Bank Street, Lebanon, NH 03766

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

SCOPE OF PROJECT:

The owners are requesting an abatement to impact fees applied months after purchasing 78 Bank St. and describing our intention to convert the property back to its original use as a single-family home.

TYPE OF OCCUPANCY: Residential

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 July 8, 2024, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY

OWNER: Marlee Dixon and Gregory Hagley

Gregory Hagley

DATE: 6/9/2024

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

PROPERTY

OWNER: _____

DATE: _____

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

June 9, 2024

Dear Planning Board members,

We are writing to appeal for an abatement on the impact fees assessed after we purchased 78 Bank Street Lebanon, NH. We believe the fees should be waved because of the following reasons: 1) they were not transparent throughout our many interactions with the City of Lebanon before purchasing the house and would have greatly impacted our plans to purchase the house, 2) They are an unnecessary financial hardship for us 3) enforcing the fee would not be in the spirit of the ordinance and 4) the house was originally a single-family home and therefore we are returning it to its original zoning.

Before purchasing a commercial property and converting it to a home, we consulted with City Hall on multiple occasions. Starting on 12/17/23, Marlee clearly stated our intention to convert the property into a home and to obtain a permit to install a bathtub (in a spot one previously existed). This was the essential step to convert the house to residential zoning. Having only learned of a modest fee to re-file the property and a \$250 sewer fee, we decided to purchase and follow our plan. It was over 3 months after our first interactions that the city sent an email stating, "It has come to our attention that you will need to change your site (78 Bank Street/Lebanon) from a Commercial site to a Residential Site. Please select Change of Occupancy as the permit type. In the Project Description please list "changed from Law Office to Residential home." With this email came a \$5700 fee that was never mentioned before we purchased the home. Below we included an email chain of the conversations we had with the city. This \$5700 fee could therefore be considered a hidden fee since it was clear that we were buying the property with the intent of making it a home, yet it was more than 3 months later and we were locked into the purchase of the home, that the fee was disclosed.

It was acknowledged by city workers that there is not an established process to identify who will receive these fees. Therefore, there is no way we could have been aware we would have to pay these high fees before purchasing the home. We purchased the home on 2 modest middle-class salaries. Purchasing a home—especially one needing renovation in a city with a housing shortage—requires careful planning and budgeting. In addition to the costs to make this our home, we have found it to be a huge financial burden to pay an additional \$9000 in fees.

The spirit of the Impact fee is to equitably collect a fee from new residences that pay for city services. Yet, we present a unique situation where our property was a house for over 150 years. It was a law office for several decades. And now—during a local housing shortage—we converted it back to its original purpose as a residence. It not in the spirit of the ordinance to collect a fee from a home purchaser in Lebanon during a real estate transaction which is essentially what this Impact fee is doing. Other houses built prior to the ordinance were grandfathered in and their new homeowners are not charged an Impact Fee. Similarly, 78 Bank Street was a residential property and should not be charged an Impact Fee after a real estate transaction.

In addition to the impact fee of \$5700, we are being charged \$3577 in water and sewer fees. These fees were also never made known to us until after we had purchased the home. While we were under contract to buy the property, we were granted a permit for the bathtub. Over 2 weeks after being granted the permit and after we had closed on the home, we were given a water/sewer form to fill out where we were asked to include the “proposed bedrooms” for our home. We don’t have *proposed* bedrooms since the rooms already existed and did not need to be modified in any capacity. 78 Bank Street was a single-family home for over 150 years and we did not *propose* any bedrooms. We were then charged \$2777 in sewer fees and \$800 in water fees based on proposed increased usage. We are disputing these costs because no additional work or services were completed by the city, the water/sewer was never turned off or on, the water meter was not modified, the house was a single-family zoned residential home and paid the water/sewer expenses for 150 years while it was a residential home, and we were never informed of these fees during the permitting process. We pay for our ongoing water/sewer usage in our water bill and \$8100 yearly property taxes. We would not have purchased the house if we had been aware of these excessive fees of \$9000.

It’s clear that the City of Lebanon is a good place to live with an ambient spirit which is why we wanted to live here. However, we are appealing these fees for the following reasons:

- The city was not transparent during our multiple interactions before purchasing the house and it was only after we were locked into our home purchase that we were made aware of the \$9000 in fees.
- Our water and sewer require no additional action from the town—both the water and sewer lines already existed, and we pay for the services through monthly bills and annual taxes.
- These fees are a large financial burden to us because purchasing a home now is extremely expensive, we have invested considerable time, money and work to make this our home, and we make modest salaries.
- The house was originally a single-family home for over 150 years and therefore we are returning it to its original zoning. Our situation is unique and does not follow the standard impact fee assessment guidelines. Therefore, it is not in the spirit of the ordinance to enforce this fee.

We look forward to hearing from you.

Regards,

Marlee Dixon

Greg Hagley

I will provide copies of the chain of email interactions I had with the town if needed. Below are the cut/pasted emails.

1st email 12/18/23:

Hi Leann,

We are under contract to purchase a residential office that we will be converting into a primary home. The address is 78 Bank St. Lebanon. I was in there the other day and the woman mentioned we could ask the sellers to sign a document so we could complete the work as soon as we closed. I believe she said the permitting process takes 30 days. The work we need to complete to live there is to add a shower/bathtub to the home since there is only a half bath. Please let me know how I would get the application to send to the sellers to have them sign off.

Thank you,
Marlee
970-485-5048

We contacted the city multiple times via email, over the phone and in person to get the permit completed. We were clear with our intentions to convert the law office to our home.

2nd email:

Marlee:

Attached the permit for the new tub/shower install.
Once your closing has been completed, please email me a copy of the first page of the sales agreement
Or deed where both names (previous owner/new owner) are listed on the page.

I will switch the permit to the new owner's name.

You can use the attached Permit to get your project complete. It does not have to be in the new owner's name to do the work.
Please post this on your front door.

Thank you,

Leann
City of Lebanon
Planning and Development
603 448 1457 x6126

We received the permit and still at this time we were not made aware that we would have to pay over \$3500 in water/sewer fees or be assessed an impact fee.

3. 1/29/24 (Two days before we closed on the property):

Marlee:

Thank you for your call this morning.
Our City Engineer/Brian Vincent will need the Water and Sewer Use forms completed.
Once completed, please return the forms to the Dept of Public Works.
There is a \$250.00 fee for the Sewer Allocation form.
Please identify how many bedrooms will be in your new home.

Sewer Allocation Application Form: [Application-for-Sewer-Use-Allocation-PDF \(lebanonnh.gov\)](#)
Water Use Application Form: [Water and Sprinkler Service Checklist and Application \(PDF\)](#)

Please send them to Brian.vincent@lebanonNH.gov. Please do include a cover note letting him know your timeline for the closing and the move in.

Thank you,

Leann
City of Lebanon
Planning and Development
603 448 1457 x626

Two days before closing it was still not made aware to us that we would need to pay over \$3500 in water/sewer fees to convert this house back to a single-family home. It was constructed as a single-family home so we had no way of knowing that we would need to pay any fees to turn it back into a single-family home. We never physically added any bedrooms and the bathtub we added had originally been there but removed while it was a law office.

3/25/24- Email from Leann:

It has come to our attention that you will need to change your site (78 Bank Street/Lebanon) from a Commercial site to a Residential Site.

You may apply for this permit online at:

LebanonNH.gov/PermitPortal

Please select Change of Occupancy as the permit type. In the Project Description please list “changed from Law Office to Residential home.”

Please include a floor plan of your home with this application. This can be hand drawn. Please label the square footage of each living space.

No mention was ever made of an impact fee. I spoke to LeAnn starting in mid-December regarding converting the house back to a residential address. How was this missed? The town should have let us know of these fees in advance of obtaining a building permit. Especially knowing that we were closing on the house.

A Joint Statement by the City of Lebanon Planning Board and the City of Lebanon Diversity, Equity, and Inclusion Commission on Community Housing Solutions

WHEREAS the City of Lebanon, as elsewhere in the country, is facing a severe shortage of affordable housing, especially but not limited to workforce housing; and

WHEREAS the shortage of housing has powerful equity implications for the present and future residents of the City; and

WHEREAS rapid expansion of housing stock has and will have implications for the sustainability, longevity, and resilience of the City; and

WHEREAS informed decisionmaking and transparency are integral to the democratic process of charting a course for the future of the City; and

WHEREAS the Lebanon City Council has demonstrated a laudable willingness to address the housing crisis to the fullest extent possible, in considering and taking actions to create the needed changes in a timely manner; now, therefore

BE IT RESOLVED that the City of Lebanon Planning Board and DEI Commission, having jointly drafted this resolution and having agreed upon its language and the priorities it sets out, recommend that the Lebanon City Council work with representatives from the DEI Commission and Planning Board to **create a task force on community housing solutions, with the stated goals of producing a report and, based upon the findings of that report, recommending drafted changes to (i) the Housing chapter of the City of Lebanon Master Plan and (ii) the Neighborhood and Housing functional area of the City of Lebanon Strategic Plan no later than 1 July 2026 at which time it will be dissolved unless other action is taken. The task force shall be named the Lebanon Housing Task Force.**

BE IT FURTHER RESOLVED that the City of Lebanon Planning Board and DEI Commission recommend that **said report should include, but not be limited to:** the identification and quantification of the drivers affecting Lebanon’s current housing shortage; the gathering and interpretation of housing and population data for the City, including housing ownership rates, housing type (including owned and rental), demographics, and quality of life considerations like accessibility to transit, communal resources, and green spaces; the forecasting of future housing and related needs of the City according to the same; an analysis of current and potential equity issues in Lebanon’s housing supply; an analysis of the implications for the City and its current residents on other changes created by rapid population growth; the potential for regional partnerships (on items including but not limited to water and sewer infrastructure, transit infrastructure, and more) as a part of the solution to what is a regional issue; and potential solutions for City Council implementation, including estimated costs. Also included in the

conclusion of the report should be a judgement on whether, if feasible, the City of Lebanon would be best served by the creation of a standing Housing Commission, pursuant to NH RSA 674:44-I.

BE IT FURTHER RESOLVED that the City of Lebanon Planning Board and DEI Commission recommend that the City Council, in the formation of this task force, should work with representatives of the Planning Board and DEI Commission to **invite various community stakeholders to join or take part in the work**. The task force should consist of 13 members, the majority of which should be residents of Lebanon. These should ideally include: the City Manager or the City's Manager's designee; a sitting member of the City Council; a member or representative of the Upper Valley/Lake Sunapee Regional Planning Commission; a representative of Advance Transit; a representative designated by the Lebanon School Board; a representative of Dartmouth Health; a member of the Lebanon Planning Board; a member of the Lebanon DEI Commission; a member of the Lebanon Conservation Commission; a representative of the Lebanon Housing Authority; a representative of Dartmouth College; a member representing a business in the City; and a resident of the City who shall be appointed by the City Council. If members from these bodies cannot be found, others representing similar perspectives may be considered. The Lebanon Housing Task Force (LHTF) would be a public body and would need to comply with the provisions of RSA 91-A, related state statutes, City Charter, City Code, and applicable policies. Members of the LHTF would serve until the task force is dissolved and without compensation other than reimbursement for allowable expenses.

BE IT FURTHER RESOLVED that the Task Force should **meaningfully engage the public** through such means deemed feasible and appropriate by the Task Force, such as public hearings, listening sessions, surveys, and/or other means.

Signed this [X] Day of [Month], at Lebanon, New Hampshire,

Andrew Faunce, Chair, Lebanon Planning Board

Alisha Robinson, Chair, Lebanon Diversity, Equity and Inclusion Commission