

FINAL

**LEBANON PLANNING BOARD
MEETING COUNCIL CHAMBERS, CITY HALL
OR REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
MONDAY, JULY 08, 2024 6:30 PM**

MEMBERS PRESENT: Andrew Faunce (Chair), Richard Ford Burley (Vice Chair), Jeremy Rutter, Patrick Kennelly, Karen Zook (City Council Rep), Brandon Hill, Kathie Romano

MEMBERS ABSENT: None

STAFF PRESENT: Tim Corwin (Deputy Planning Director)

1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:30pm.

Mr. Corwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures.

2. NOTICE OF REGIONAL IMPACT

The following applications were received by the Planning and Development Department on or before July 08, 2024:

- **City of Lebanon, 0 Barrows Street (Tax Map 77, Lot 106), zoned R-3: Applicant requests a Conditional Use Permit per Sections 310.2 and 509 of the Zoning Ordinance for a proposed 5-unit cottage development and Site Plan Review for the first phase of the development. PB2024-33-CUPSPR**
- **XYZ Dairy, LLC, River Park Drive (Tax Map 44, Lots 21 - 30 & Tax Map 44, Lot 7), zoned CBD, IND-L and R-3: Applicant requests an extension of the timelines set forth in the Planning Board Notice of Actions dated October 12, 2021 & October 11, 2011 (PB2021-29-EXT & PB2011-04-FMAJ) for the commencement of construction and completion of the River Park development. PB2024-34-EXT**

Mr. Corwin said staff recommends that these applications do not have the potential for regional impact.

A MOTION was made by Jeremy Rutter that the applications of the City of Lebanon, 0 Barrows Street (Tax Map 77, Lot 106), zoned R-3 and the XYZ Dairy, LLC, River Park Drive (Tax Map 44, Lots 21 - 30 & Tax Map 44, Lot 7), zoned CBD, IND-L and R-3 do not have the potential for regional impact. The Motion was seconded by Richard Ford Burley.

****The MOTION was approved (7-0).***

Chair Faunce said discussion of the Other Business Agenda Item 4A: **Gregory W Hagley and Barley Dixon, 70 Bank Street (Tax map 92, Lot 106) zoned RO - PB2024-30-AAD** would be postponed to the July 22, 2024 meeting.

He said the Public Hearing Agenda Items would be discussed out of the order of the agenda for this meeting. He said Public Hearing Agenda Item 3D: **Edwards Properties, LLC, 135 Heater Road (Tax Map 78, Lot 41), zoned IND-L - PB2024-27-CUPSPA** would be postponed to the August 12, 2024 Planning Board meeting.

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.**

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

A MOTION was made by Jeremy Rutter that the application of 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 is complete enough for the Planning Board to accept jurisdiction and commence review. The Motion was seconded by Patrick Kennelly.

****The MOTION was approved (7-0).***

Mr. Corwin said the goal for this meeting is to introduce the project, provide the Board with information, and give Board members a chance to ask clarifying questions. He said the public will have an opportunity to provide comments at a future meeting.

Mr. Dave Fenstermacher and Mr. Steve Fleurock of VHB were present on behalf of the applicant. Mr. Fenstermacher gave an overview of the project, which was based on materials included in the agenda packet for this meeting.

He reviewed the following topics:

- Location
- Zoning
- Site Overview
- Existing Site Conditions
- Proposed Site Conditions
- Site Summary

He said he will address concerns that have been raised by the City and site abutters at a future meeting.



He said the project involves 474 units (many are 3-bedroom units) on 126 acres of land at the site of the former Densmore Brickyard. He said a traffic study has been completed to address the increase in traffic that may result from the additional residences. He noted that the pond on the site is an important feature that the applicant plans to respect in the redevelopment.

The group discussed the pond at length, noting it was a man-made pond that was a source pit for the clay used to make the bricks at the brickyard. They discussed the protection of wetlands around the pond and its current condition. They also discussed potential future recreational uses of the pond as a community resource.

Mr. Rutter said the Heritage Commission was interested in ensuring that the existing structures/features (including the pond) on the site be preserved (if possible) and that the history of the brickyard be shared.

Chair Faunce noted that, should this project be implemented, it would become a neighborhood unto itself, but there does not appear to be much communal shared space included in the plans. Mr. Kennelly said adding a playground might be a good idea, and Mr. Ford Burley suggested adding swings for kids, and asked if the roofs of the structures could be used for recreation spaces. Mr. Fenstermacher said the roofs of the structures will be solar-ready and not designed for other amenities.

Chair Faunce asked if a site walk could be scheduled. Mr. Corwin said he would try to find a date that worked for as many Board members as possible. He said he would follow the City's procedures if the site walk had to be publicly noticed. Chair Faunce also requested that City Staff be able to review the applicant's traffic study.

A MOTION was made by Kathie Romano that, pursuant to Section 47.E.2 of the Site Plan Review Regulations, City Staff should obtain a peer review study of the applicant's traffic

review, the cost of which is to be borne by the applicant. The Motion was seconded by Richard Ford Burley.

****The MOTION was approved (7-0).***

Chair Faunce stated that the Public Hearing for this application will be continued to the August 12, 2024 Planning Board meeting at 6:30pm, and a site visit will be scheduled prior to the August 12, 2024 Planning Board meeting, which will be publicly noticed as required by law.

A. 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

This item was originally on the agenda as Item 3.F. but was moved up to Item 3.A. as agenda items were taken out of order.

Mr. Corwin said the idea for this application had been considered as a conceptual review at last month's Planning Board meeting. He said, since that meeting, the Zoning Administrator has determined that the minimum required parking spaces for the development is two spaces for each unit. He said revised materials have been submitted to Staff by the applicant on Friday and Monday, which Staff has not had a chance to fully review.

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

A MOTION was made by Jeremy Rutter that the application of XYZ Dairy, LLC, 0 Beyerle Street & 51 Crafts Avenue (Tax Map 58, Lot 18 & Tax Map 58, Lot 19), zoned R-3 is complete enough for the Planning Board to accept jurisdiction and commence review. The Motion was seconded by Richard Ford Burley.

****The MOTION was approved (7-0).***

Mr. Chet Clem of Lyme Properties was present on behalf of the applicant. He provided printed copies of the revised materials he submitted on Friday and Monday to Board members. He gave an overview of the project.

He said the project involves 16 residential units, more than 12 cottages and 32 parking spaces and is the first privately developed cottage court under the new Section 509 ordinance.

He discussed density of the development, saying the project is below the average in terms of density per acre for cottage court development.

He discussed the concerns that have been raised about increases in traffic that the development might bring. He said a priority is to deliver a new project that is respectful of the historic neighborhood in which it is located. He said the structure located at 51 Crafts Ave will be demolished.



Mr. Clem said he still believes two parking spaces per unit is too many. He noted there are impacts to the design of the project resulting from the increase of 1.5 to 2 parking spaces, including a loss of living space, a reduction in the number of two-bedroom units, the loss of the stand-alone central community building, and a loss of open space. The group discussed the impacts of the increased parking spaces for each unit at length.

Chair Faunce opened the public comment portion of the meeting.

Mr. Henry Bromberg (Ward 1) said he supports any plan that meets City codes which increases the amount of housing in the City. He said this is a creative plan that meets City requirements.

Chair Faunce closed the public comment portion of the meeting.

Chair Faunce suggested that, since the Board did not have an opportunity to draft a motion for this application to approve or deny the request for conditional use permit, the Board take some additional time to draft a motion and continue the discussion at a future meeting. Mr. Ford Burley suggested that, since it is the first cottage development project, taking additional time to carefully word the motion might be a good idea.

A MOTION was made by Richard Ford Burley that, in light of the fact that this is the first development of its kind as a cottage development, and because the Planning Board would like to get it correct, the Planning Board continue the discussion of this application to the August 12, 2024 Planning Board meeting. The Motion was seconded by Brandon Hill.

****The MOTION was approved (7-0).***

Mr. Corwin said, because Section 509 of the zoning ordinance is new, amendments may need to be made as new projects are proposed. He said changes could be made as part of the Planning Department's annual set of zoning amendments.

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

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

A MOTION was made by Kathie Romano that the application of Recreo, LLC, 2 Mascoma Street (Tax Map 91, Lot 254), zoned LD is complete enough for the Planning Board to accept jurisdiction and commence review. The Motion was seconded by Jeremy Rutter.

****The MOTION was approved (7-0).***

Mr. Jim Wasser of Studio Nexus and Mr. Tim Sidore of Recreo LLC, were present on behalf of the applicant.

Mr. Wasser gave an overview of the project. He said the project involves two, five- and six-story buildings that include 148 studio apartments. He said the project includes a parking garage to hold 99 vehicles and off-site parking for 100 cars.

The group discussed the planned site developments, the impact that the redesigned fire station had on the project's development, and other possible additions/improvements that may be considered for the site.

Mr. Corwin explained that the time within which to obtain the building permit is two years from the date of the original approval. He said the Planning Board can extend that up to two additional years based on the criteria. He said, based on Section 4.10.B, the timeframe within which to achieve the active and substantial development is also two years, which can be extended upon demonstration of good cause.

Mr. Corwin said when this project was approved as a phased development, the phasing plan did not identify dates by which each phase needed to achieve active and substantial development and achieve substantial completion in order to obtain a building permit. He said because those dates are not in the approved phasing plan, the timeframe to obtain the building permit defaults to two years from the date of the original approval.

Mr. Corwin noted that the applicant has updated the phasing plan, which identifies the dates by which active essential development and substantial completion will be achieved for each phase (for Phase I and Phase II) in order to obtain the building permit.

He said the criteria that the Board should consider for these extensions are identified in Section 4.10.B and Section 8.2.A.1. He said if the Board approves the proposed amended phasing plan, if the applicant were to come back and request additional extensions, they would be requesting an addition and extension to the approved phasing plan, and subject to just the general phasing criteria under Section 4.9.

The group discussed parking and the vehicle activity calculations presented. Mr. Hill noted that the present plan expects that 2/3 of the residents will not drive at the usual commute time, which is not typical. Mr. Sidore said they have found with other projects in the area that tenants are attracted to this kind of property because they won't need a car and can use public transportation. He noted that a transportation study was done for the project.

Chair Faunce opened the public comment portion of the meeting.
Chair Faunce closed the public comment portion of the meeting.

A MOTION was made by Brandon Hill that the Lebanon Planning Board approves the application of Recreo, LLC, PB2024-25-EXT, for an extension of time per Section 4.10.B of the Site Plan Review Regulations to obtain a building permit with respect to a site plan for 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), and for an extension of time per Section 8.4.A.3 to achieve active and substantial development, per application materials submitted and including any and all submissions and testimony provided for and during the public hearing.

In support of its decision, the Board finds that:

- 1. The applicant has submitted a complete and timely request for an extension pursuant to Section 4.10.B of the Site Plan Review Regulations;***
- 2. Per Section 4.10.B, the applicant has demonstrated that an extension of time to obtain a building permit is warranted, considering 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; and***
- 3. Per Section 8.4.A.3, the applicant has demonstrated good cause for an extension of time to achieve active and substantial development.***

This approval is subject to the following conditions:

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 condition #2 below.***
2. ***Condition #18 set forth in the Planning Board Notice of Action for PB2022-17-SPR dated June 27, 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 PB2024-25-EXT and per the conditions of approval set forth in the Planning Board Notice of Action for PB2022-17-SPR dated June 27, 2022, including but not limited to condition 4.h (requiring the applicant to “[a]mend 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 dates by which a building permit will be obtained for each phase, by which active and substantial development will be achieved for each phase, and by which substantial completion will be achieved for each phase shall be as set forth in the phasing plan, as may be revised pursuant to condition 4.h of the June 27, 2022 Notice of Action for PB2022-17-SPR. All dates on the phasing plan shall be understood as being the last day of the month identified.

The Motion was seconded by Jeremy Rutter.

Mr. Corwin suggested adding the following as a last sentence to Condition 2 as an amendment to the Motion:

“All future changes to the phasing plan and any extension requests for any phase shall be subject to and evaluated pursuant to the applicable requirements of Section 4.9.C and Section 4.9.D of the Site Plan Review Regulations, and not Section 4.10. B or 8.4.A.1.”

A MOTION was made by Brandon Hill to amend the MOTION to include “All future changes to the phasing plan and any extensions requests for any phase shall be subject to and evaluated pursuant to the applicable requirements of Section 4.9.C and Section 4.9.D of the Site Plan Review Regulations, and not Section 4.10. B or 8.4.A.1.”

The Motion was seconded by Jeremy Rutter.

****The ORIGINAL MOTION, as amended, was approved (7-0).***

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

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

A MOTION was made by Richard Ford Burley that the application of Women's Information Service (WISE) of the Upper Valley Inc, 38 Bank Street (Tax Map 92, Lot 116), zoned R-O is complete enough for the Planning Board to accept jurisdiction and commence review. The Motion was seconded by Jeremy Rutter.

****The MOTION was approved (7-0).***

Mr. Corwin said this application involves tearing down the rear portion of the existing building and reconstructing it within the same area. He said the existing site plan will remain. He said the second floor would be converted into office space, which would require the addition of three more parking spaces, but the applicant had received a variance from the Zoning Board of Administrators which allowed them not to be required to provide those additional parking spaces. Mr. Corwin suggested that the applicant submit waiver requests for Article V and Article VI and said the applicant has submitted a letter with those requests to the Planning Department.

Mr. Frank J. Barrett, Jr. Architect, was present on behalf of the applicant. He gave an overview of the project. He said a back porch would be removed with the rear section of the building. He said the replicated back section of the building will be 6 feet higher than the existing height. He said no changes, alterations, or additions to the site are being proposed. Mr. Barrett said he did review changes that the Fire Department may have related to the new section of the building in order to meet fire safety codes.

The group discussed ADA accessibility in relation to the proposed new portion of the building. Mr. Barrett said the first floor of the new addition will be accessible. Mr. Corwin said the City has no requirements related to accessibility beyond what is required by the state.

Mr. Rutter noted that a bike rack is mentioned in the plan but is not on the elevations. He asked how many bicycles could be accommodated. Mr. Corwin read Section 6.5.I .3 of the site plan review regulations:

“For non-residential development, secure short term bicycle parking or long-term bicycle parking for at least 10% of the number of automobile parking stalls approved by the Planning Board shall be provided. Alternatively, provided the applicant shall provide spaces for at least 5% of building occupants, whichever is greater, but in no case may the total be less than two rack spaces.”

He suggested the minimum would be two spaces for bikes. He said this could be incorporated as part of the approval.

Mr. Rutter noted there were not a lot of details about the lighting plan in the application materials and there is no indication where the lights are on the building. Mr. Corwin said the Article VI waiver request provides that the existing site plan from 2007 is still in effect, so the applicant is not required to update the site plan materials to show lighting. The group discussed whether this should be added as a condition of approval.

Chair Faunce opened the public comment portion of the meeting.

Chair Faunce closed the public comment portion of the meeting.

Mr. Corwin discussed proposed Condition of Approval # 8, which was highlighted in the draft motion language, that is related to any changes required by the Fire Department pursuant to applicable fire codes.

A MOTION was made by Richard Ford Burley that, for the application of Women's Information Service (WISE) of the Upper Valley Inc, PB2024-26-SPR, the Lebanon Planning Board approves waivers from the following sections of the Site Plan Review Regulations:

- ***Article V submission requirements – as identified in the applicant's Application for Waivers***
- ***Article VI design requirements – as identified in a letter from Jay Barrett, AIA, dated July 5, 2024***

The Motion was seconded by Jeremy Rutter.

****The MOTION was approved (7-0).***

A MOTION was made by Richard Ford Burley that the Lebanon Planning Board approves the Site Plan Review application of Women's Information Service (WISE) of the Upper Valley Inc, regarding 38 Bank Street (Tax Map 92, Lot 116), zoned R-O, PB2024-26-SPR, 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, as shown on a plan sheet titled, "New Addition to WISE, Inc.," dated May 6, 2024, prepared by Barrett Architecture, including any and all submissions and testimony provided for and during the public hearing.

In support of its decision, the Board finds that the applicant has submitted plans, testimony, technical data, information, reports, and studies that together satisfactorily demonstrate compliance with the applicable requirements of the Site Plan Review Regulations, except as may reasonably be addressed through the imposition of certain conditions of approval, set forth below, and except as may have been waived pursuant to Section 7.1.

This approval is subject to the following conditions:

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.*
8. *The applicant shall verify with the Fire Department whether any site changes are required pursuant to the applicable fire codes based on the proposed height of the building. Any such changes shall be subject the procedural requirements set forth in Article IX of the Site Plan Review Regulations ("Modifications and Minor Alterations to an Approved Site Plan Prior to Issuance of a Certificate of Occupancy").*

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

9. *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.*
10. *All water and sewer fees shall be paid as set forth in City Code Chapter 68.*
11. *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

12. *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.*
13. *The impact fee calculated pursuant to Condition of Approval #9 shall be paid.*

The Motion was seconded by Jeremy Rutter.

**The MOTION was approved (7-0).*

A MOTION was made by Karen Zook to extend the meeting to 9:45pm. The Motion was seconded by Richard Ford Burley.

**The MOTION was approved (7-0).*

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- 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

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

A MOTION was made by Richard Ford Burley that the application of SPNH Lebanon North, LLC, 402 Mount Support Road (Tax Map 24, Lot 9), zoned R-1 is complete enough for the Planning Board to accept jurisdiction and commence review. The Motion was seconded by Jeremy Rutter.

****The MOTION was approved (7-0).***

Mr. Brenden Gilmore of Saxon Partners, LLC, and Mr. Nik Fiore of Engineering Ventures were present on behalf of the applicant. Mr. Gilmore gave a status of the project. He said the site plan has not changed, but the phasing of the project has changed. Mr. Fiore presented the updated dates for the Phases of the project.

He said Phase I and Phase II have the same timeframe dates as the original plan, but Phase III and IV have switched order. The group discussed the date changes and work changes in each phase (if applicable) from the original plan. Mr. Corwin explained the different types of security and how it relates to the process to obtain temporary Certificates of Occupancy in a phased work situation.

Chair Faunce opened the public comment portion of the meeting.
Chair Faunce closed the public comment portion of the meeting.

A MOTION was made by Richard Ford Burley that the Lebanon Planning Board approves the application of SPNH Lebanon North, LLC, PB2024-29-SPA, requesting modifications pursuant to the phasing plan for a 204-unit multi-family complex at 402 Mount Support Road (Tax Map 24, Lot 9), zoned R-1, originally approved on February 14, 2022 (PB2021-33-SPR) and reapproved on October 9, 2023 (PB2023-34-SPR), per application materials submitted and including any and all submissions and testimony provided for and during the public hearing.

In support of its decision, the Board finds that the applicant has satisfactorily demonstrated that the proposed phasing plan meets the applicable requirements of Section 4.9.C and Section 4.9.D of the Site Plan Review Regulations.

This approval is subject to the following conditions:

- 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.

The Motion was seconded by Brandon Hill.

****The MOTION was approved (7-0).***

4. OTHER BUSINESS

B. Review of Draft Planning Board / DEI Commission Joint Resolution on Housing

Mr. Ford Burley said he incorporated the edits that were suggested for the joint statement. A draft of the statement was included in the agenda packet materials for the meeting.

Mr. Ford Burley said the statement would be provided to the City Council at a meeting in July. Ms. Zook said she would abstain from the vote to approve the statement as she is a member of the City Council.

A MOTION was made by Patrick Kennelly to accept the draft Planning Board / DEI Commission Joint Resolution on Housing as included in the agenda packet materials for the July 08, 2024 Planning Board meeting. The Motion was seconded by Jeremy Rutter.

****The MOTION was approved (6-0, with Ms. Zook abstaining from the vote).***

5. ADJOURNMENT

A MOTION was made by Richard Ford Burley to adjourn the meeting at 9:38pm. The motion was seconded by Brandon Hill.

****The MOTION was approved (7-0).***

The meeting was adjourned at 9:38pm.

Respectfully submitted,
Paula Roux
Recording Secretary