

FINAL

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

MEMBERS PRESENT: Andrew Faunce (Chair), Kathie Romano, Patrick Kennelly, Karen Zook (City Council Rep), Jeremy Rutter (REMOTE), Kellen Appleton

MEMBERS ABSENT: Richard Ford Burley (Vice Chair), Brandon Hill

STAFF PRESENT: Tim Corwin (Deputy Planning Director), Nate Reichert (Director of Planning & Development / Zoning Administrator), Catheryn Hembree (Associate Planner)

1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:32pm.

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

2. PUBLIC HEARING ITEMS

- A. REVISED NOTICE - LWM Residential, LLC, 1 Foundry Street (Tax Map 91, Lot 263) and 43 Mechanic Street (Tax Map 106, Lot 34), zoned LD: Pursuant to Section 9.1 of the Site Plan Review Regulations, applicant requests modifications to a previously approved Site Plan (PB2022-36-SPR & PB2023-38-SPA) for a proposed multi-family housing development. Applicant proposes to reduce the number of dwelling units from 183 to 155 and to eliminate construction of 2 of the 4 proposed residential buildings, together with related modifications to parking, utilities, landscaping, access, and other site improvements. Applicant also requests (i) a Conditional Use Permit pursuant to Article III, Section 307.9 of the Zoning Ordinance to allow a parking area in the front yard of the lot, and (ii) a Conditional Use Permit pursuant to Article III, Section 307.7.C of the Zoning Ordinance to waive the maximum 15 ft. front yard requirement for residential buildings in the LD District. PB2024-35-SPA**

A MOTION was made by Patrick Kennelly that the application of LWM Residential, LLC, 1 Foundry Street (Tax Map 91, Lot 263) and 43 Mechanic Street (Tax Map 106, Lot 34,

PB2024-35-SPA is complete enough for the Planning Board to accept jurisdiction and commence review. The Motion was seconded by Kellan Appleton.

Mr. Rutter, who is attending remotely, confirmed he is attending as a member of the public and would not participate in any votes.

****The MOTION was approved (5-0).***

Mr. Jon Livadas and Mr. Nik Fiore (Engineering Ventures) were present on behalf of the applicant.

Mr. Fiore gave an overview of the changes that have been made to the project plans, and the group discussed the following:

- Removal of the new building at 25 Mechanic St.
- Building 2 (two-story brick building) at One Foundry no longer being renovated into apartments – will be demolished and made into parking/landscaping
- The reduction in unit counts from 184 to 155 (He noted the Staff memo included in the agenda packet incorrectly stated the number was reduced to 148 units)
- Parking spaces increased from 213 to 239 spaces

The group discussed the Fire Department's request for an updated plan to provide enough space for fire trucks to navigate through the site. He said the new plan shows how the fire trucks can move through the parking lot: when needed, collapsable bollards will be used in the pedestrian plaza to provide access for fire trucks.

Mr. Kennelly asked why the number of units was reduced but the number of parking spaces increased in the new plan. Mr. Livadas said they do not want to have insufficient parking.

The group discussed how parking spots would be assigned and if signage will discourage people other than residents from parking in the lots. Mr. Livadas said a property manager will be onsite to ensure assigned spaces are adhered to. He said residents may have to pay for additional spaces if needed. It was noted that the current number of spaces allotted for each unit is 1.6/unit.

The group discussed the number of transformers on the site and the applicant's request for a waiver from screening around the transformers.

The group discussed how the new floodplain designation may impact the project. Mr. Fiore said they have not received any information that the new designation would change the site.

The group discussed the landscaping plan and the location of the parking lots that now will basically be in the "front yard" of the site. Chair Faunce said, while parking lots located close to the street are not unprecedented in the area, the regulations now call for a different configuration. Mr. Fiore noted the landscaping would provide a greenspace buffer between the parking lots and the street.

Mr. Corwin reviewed the parts of the Staff memo, noting that the Board did not have a chance to

review it prior to the meeting. He said Staff had provided the applicant with a list of comments in a September 8, 2024 document, and the applicant provided detailed responses and an updated site plan.

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

Ms. Romano asked if the gathering space that was on previous plans had been removed and suggested incorporating benches or a seating wall in the design for the public to use and to encourage public gathering to enjoy downtown Lebanon and the river.

Mr. Livadas said the timeline for the project is that demolition work would be done first and construction could possibly begin a year from now.

A MOTION was made by Andrew Faunce that for the application of LWM Residential, LLC, PB2024-35-SPA, the Lebanon Planning Board approves partial waivers from the following sections of the Site Plan Review Regulations:

- ***Section 6.2.B.8 – requirement to screen electrical transformers***
- ***Section 6.2 and 6.10.C.3 – perimeter landscaping requirements***

The Motion was seconded by Kellan Appleton.

****The MOTION was approved (5-0).***

A MOTION was made by Patrick Kennelly:

At a duly noticed meeting of the Lebanon Planning Board held on September 30, 2024, there appeared representatives on behalf of LWM Residential, LLC, regarding 1 Foundry Street (Tax Map 91, Lot 263), zoned LD, requesting a Conditional Use Permit per Section 307.7.C of the Zoning Ordinance to waive the maximum 15 ft. front yard requirement for buildings in the LD District. PB2024-35-SPA

Based on the evidence presented, the Planning Board concludes the following with respect to the Enhanced Performance Standards set forth in Section 302.4.D and the criteria set forth in Section 307.7.C of the Zoning Ordinance:

- 1. The proposed front yard area will provide an adequate buffer to abutting residential properties through site layout, landscaping, or fencing. (§307.7.C.1)***
- 2. The site is suitable for the proposal. (§302.4.D.1)***
- 3. 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 LD***

zoning district. (§302.4.D.2)

4. The proposal does satisfy the criteria of Section 302.4.D.3.

5. The proposal does satisfy the criteria of Section 302.4.D.4.

6. The proposal does satisfy the criteria of Section 302.4.D.5.

Now therefore be it resolved that the Planning Board, on this 30th day of September 2024, hereby grants the request of LWM Residential, LLC for a Conditional Use Permit per Section 307.7.C, as set forth above and per testimony, plans, and materials submitted.

The Motion was seconded by Kathie Romano.

****The MOTION was approved (5-0).***

A MOTION was made by Patrick Kennelly:

At a duly noticed meeting of the Lebanon Planning Board held on September 30, 2024, there appeared representatives on behalf of LWM Residential, LLC, regarding 1 Foundry Street (Tax Map 91, Lot 263), zoned LD, requesting a Conditional Use Permit per Section 307.9.B of the Zoning Ordinance to allow a parking area in the front yard of the lot. PB2024-35-SPA

Based on the Planning Board concludes the following with respect to the Enhanced Performance Standards set forth in Section 302.4.D and the criteria set forth in Section 307.9.B of the Zoning Ordinance:

1. The proposed parking lot at the front of the property along Mechanic Street is an improved surface in existence as of January 20, 2021, and there is no other location on the lot to provide parking. (§307.9.B)

2. The site is suitable for the proposal. (§302.4.D.1)

3. 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 LD zoning district. (§302.4.D.2)

4. The proposal does satisfy the criteria of Section 302.4.D.3.

5. The proposal does satisfy the criteria of Section 302.4.D.4.

6. The proposal does satisfy the criteria of Section 302.4.D.5.

Now therefore be it resolved that the Planning Board, on this 30th day of September 2024,

hereby grants the request of LWM Residential, LLC for a Conditional Use Permit per Section 307.9.B, as set forth above and per testimony, plans, and materials submitted.

The Motion was seconded by Kellan Appleton.

***The MOTION was approved (5-0).**

A MOTION was made by Kellan Appleton that the Lebanon Planning Board approve the application of LWM Residential, LLC, PB2024-35-SPA, for a modification pursuant to Section 9.1 of the Site Plan Review Regulations to a previously approved Site Plan (PB2022-36-SPR & PB2023-38-SPA) for a phased, 183-unit multi-family complex at 1 Foundry Street (Tax Map 91, Lot 263) and 43 Mechanic Street (Tax Map 106, Lot 34), zoned LD. Applicant proposes to reduce the number of dwelling units to 148 and to and to eliminate construction of 2 of the 4 proposed residential buildings, together with related modifications to parking, utilities, landscaping, access, and other site improvements, as set forth on a plan set titled, “Lebanon Woolen Mill,” prepared by RODE Architects, dated August 12, 2024, last revised September 16, 2024, EV Project: 22122, 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 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:

- 1. The applicant shall comply with the Planning Board Notices of Action for PB2022-36-SPR dated October 24, 2022, and for PB2023-38-SPA dated December 11, 2023, and shall satisfy and comply with all conditions of approval thereof except as may be superseded by the conditions below.**
- 2. Within 45 days of the Planning Board’s approval, the applicant shall address the comments set forth in the letter dated September 23, 2024, from Steve Keach, PE, of Keach-Nordstrom Associates, Inc., to the satisfaction of the City Engineer.**
- 3. Within 45 days of the Planning Board’s approval, the applicant shall, to the satisfaction of the Planning & Development Department, address the comments set forth in the e-mail sent September 8, 2024, from the Deputy Planning and Development Director to the applicant.**
- 4. Within 45 days of the Planning Board’s approval, the applicant shall address the comments set forth in the memo dated September 9, 2024, from Duane Egner, Fire Inspector, to the satisfaction of the Fire Department.**

5. ***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. *Any changes made pursuant to Conditions of Approval #2, #3 and #4 above.*
 - b. *Amend the cover sheet to provide description of plan revisions (Section 5.1.E.4.d).*

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.

6. ***Prior to the start of any construction activities on the property and prior to the issuance of a building permit, the applicant shall record in the Grafton County Registry of Deeds notice of the stormwater management and erosion and sediment control plans as required per Section 6.6.H.2.d of the Site Plan Review Regulations. Such notice shall be reviewed by the Planning & Development Department prior to recording.***
7. ***Condition #6 set forth in the Planning Board Notice of Action for PB2023-38-SPA, dated December 11, 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 PB2024-35-SPA and per the conditions of approval set forth in the Planning Board Notices of Action for PB2022-36-SPR dated October 24, 2022, and for PB2023-38-SPA dated December 11, 2023, and as set forth above.

The Motion was seconded by Patrick Kennelly.

It was noted that the number of units in paragraph one of the Motion should be 155 and not 148.

A MOTION was made by Kellan Appleton to amend the previous Motion to correct the number of units from 148 to 155.

The Motion was seconded by Patrick Kennelly.

****The AMENDED MOTION was approved (5-0).***

3. STUDY ITEMS

A. Review of Proposed Amendments to Zoning Ordinance RE: Rte 120 Corridor Study & Pattern Zone Project (Continued from 09-23-24 meeting)

Mr. Reichert gave an overview of the goals of the proposed amendments to the zoning ordinance related to Pattern Zone Project.

The group discussed the following recommendations / ideas at length:

- Reduce Minimum Lot Sizes & Widths
- Reduce Setbacks
- Review Current Parking Requirements
- Increase Maximum Building Coverage
- Allow More Homes Per Lot
- Eliminate Lot Area Per Unit
- Cottage Court Style Land Division
- Eliminate Lot Frontage
- Allow Small Multi-Dwellings
- Dense Housing (Roommates)
- Create a Medical Center Two Zoning District

In addition to the general discussion about the proposed zoning ideas to facilitate the development of pattern zone projects, Mr. Reichert asked the Board to consider the following:

- Change the zoning for Romano Circle (owned by the Lebanon Housing Authority) from R2 to RO to allow them to make changes without having to seek an expansion of non-conforming use from the Zoning Board.
- A resident request to rezone a property in RL1 to General Commercial to allow the resident to build a storage unit facility in a primarily residential area

4. ADJOURNMENT

***A MOTION was made by Kathie Romano to adjourn the meeting at 9:28pm.
The motion was seconded by Patrick Kennelly.***

****The MOTION was approved (5-0).***

The meeting was adjourned at 9:28pm.

Respectfully submitted,
Paula Roux
Recording Secretary