

FINAL

**LEBANON MINOR SITE PLAN COMMITTEE
CITY COUNCIL CHAMBERS, CITY HALL
OR REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE
NOVEMBER 14, 2024 1:30 PM**

MEMBERS PRESENT: Tim Corwin (Deputy Planning Director), Leigh Hayes (Building Official), Jeff Libbey (Deputy Fire Chief) (REMOTE), Rod Finley (City Engineer)

MEMBERS ABSENT: None

1. CALL TO ORDER

Mr. Corwin called the meeting to order at 1:30pm. Deputy Fire Chief Libbey said is attending remotely because he had several medical calls and was unable to get to City Hall on time. He said there was no one else in the room with him.

2. NOTICE OF REGIONAL IMPACT

Mr. Corwin said that the Staff recommends that neither of the Minor Site Plan applications on the agenda have the potential for regional impact.

A MOTION was made by Tim Corwin that the applications on the agenda do not have the potential for regional impact. The motion was seconded by Lee Hayes.

Roll Call Vote:

Voting For – Mr. Hayes, Mr. Corwin, Mr. Finley, Mr. Libbey

Voting Against – None

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

3. PUBLIC HEARING ITEMS

- A. BRI Hanover Street, LLC, 190 Hanover Street Ext (Tax Map 48, Lot 5), zoned R-O-1: Applicant proposes to convert the third story of the existing office building to three (3) residential units. PB2024-44-MSP**

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 Tim Corwin that the application of BRI Hanover Street, LLC, 190 Hanover Street Ext (Tax Map 48, Lot 5), zoned R-O-1 PB2024-44-MSP is complete enough for the Minor Site Plan Review Committee to accept jurisdiction and commence review. The motion was seconded by Rod Finley.

Roll Call Vote:

Voting For – Mr. Hayes, Mr. Corwin, Mr. Finley, Mr. Libbey

Voting Against – None

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

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

Ms. Elizabeth Loughran was present on behalf of the applicant. She explained that she purchased the property at 190 Hanover Street. She said the bottom floor is occupied by tenants. She said she would like to convert the top floors to two, one-bedroom apartments and one, two-bedroom apartment.

She said there would be no changes to the footprint of the building, and there is existing parking with 24 existing spaces, which is more than required. She said the project would add three kitchens and 3 ½ bathrooms.

The group discussed the tenants on the first floor of the building, which include a medical office. They discussed whether additional handicap-accessible parking spaces would be needed. They also discussed the sprinkler system already installed in the building, and lead paint requirements that the new apartments would have to meet.

Mr. Corwin explained that this committee was created to give applicants and staff the chance to have technical discussions about the building permitting process and to answer applicants' questions. He said the committee hopefully can process smaller applications quickly.

Deputy Chief Libbey said, since the residential properties would be above commercial space, the applicant would need to ensure that pull stations are installed leading to the exterior of the building, and alarms with strobe lights in the apartments. He noted emergency lighting and exit signage, and appropriately sized windows for egress are also recommended.

Mr. Finley said he had been working at Pathways when this plan was developed; he said he wanted to disclose the information because it could be a potential conflict of interest. He said he had planned to do a pre-permit meeting with inspectors and other officials.

Mr. Corwin said this application has an existing site plan for the property, and this application is an amendment to that site plan because the applicant is changing the use. He said there may be aspects of the approved site plan that are inconsistent with the current site plan regulations, but they could require that the site be maintained per the approved site plan. He said one of the one of the default conditions of approval is that, prior to issuance of the Certificate of Occupancy,

staff will visit the site and inspect the property for conformance with the approved site plan.

Mr. Hayes asked which entrance tenants would use, and Ms. Loughran said it would be the front entrance. She said the plan is for tenants to use the parking spaces on the south side (left side of lot). She said signage would be used to direct tenants and clients of the businesses where to park (visitor spaces noted, etc). Mr. Hayes asked about future plans to add additional residential units and Ms. Loughran said they are not sure they will do that. Mr. Corwin also reminded her that there is an Impact Fee related to conversion of an office building to residential space.

Mr. Corwin opened the public comment portion of the public hearing.

Mr. Corwin closed the public comment portion of the public hearing.

A MOTION was made by Tim Corwin that the Lebanon Minor Site Plan Committee APPROVE the application of BRI Hanover Street, LLC, regarding 190 Hanover Street Extension (Tax Map 48, Lot 5), zoned R-O-1, for Site Plan Review pursuant to Sections 3.1.C and 3.2 of the Lebanon Site Plan Review Regulations to convert the third story of the existing office building to three (3) residential units, as shown on a plan sheet titled "Site Plan for 190 Hanover Street" prepared by T&M Associates, dated April 14, 1997, as revised April 27, 1998, and as further revised by the applicant as included with the November 14, 2024 Minor Site Plan Committee agenda packet, including any and all submissions and testimony provided for and during the public hearing, with the following conditions:

General Conditions

- 1. 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.***
- 2. A building permit must be applied for and issued within two (2) years of the date of this approval.***

Conditions to be Satisfied Prior to Application for a Building Permit

- 3. The applicant shall obtain approval from the City Council or the City Manager's office for any additional water and/or sewer flows in accordance with the applicable Chapter 136 and 182 of the City Code.***

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

- 4. The development shall be subject to the 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 in May 2024. 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.***

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

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

6. *All improvements depicted on the plan set shall be completed and shall be constructed as depicted on the approved plan, including any modifications to the plan as may be approved by the Minor Site Plan Committee in accordance with the Site Plan Review Regulations. The motion was seconded by Lee Hayes.*

Roll Call Vote:

Voting For – Mr. Hayes, Mr. Corwin, Mr. Finley, Mr. Libbey

Voting Against – None

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

- B. 254 DC HWY, LLC, 254 Dartmouth College Highway (Tax Map 109, Lot 65), zoned GC: Applicant proposes (a) to construct a +/-544 sq. ft. addition to the existing building to be used as a garage for the cleaning and vacuuming of vehicles and (b) install a 12 ft. by 40 ft. storage trailer per Section 211.2 of the Zoning Ordinance. PB2024-45-MSP**

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 Tim Corwin that the application of 254 DC HWY, LLC, 254 Dartmouth College Highway (Tax Map 109, Lot 65), zoned GC PB2024-45-MSP is complete enough for the Minor Site Plan Review Committee to accept jurisdiction and commence review. The motion was seconded by Lee Hayes.

Roll Call Vote:

Voting For – Mr. Hayes, Mr. Corwin, Mr. Finley, Mr. Libbey

Voting Against – None

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

Mr. Paul Roberts and Mr. Mark Horne were present on behalf of the applicant. He said the project involves building a 16x34-foot garage for the company to house and maintain their vehicles (for the livery business). He said the project would not require additional parking spaces. He said the main existing building was built pre-1980 and had been used for car sales.

Mr. Roberts said they have a fleet of about 18 cars. He said the business' hours of operation are from 8:00 in the morning till 5:00 in the afternoon at the office. He said it goes to an answering service during the evening and the operation itself runs 24/7 and we have cars that are all over

the place. He said no one is at the office after five o'clock usually. He described the business activities.

Mr. Corwin noted that a trailer that has been installed at the property was never permitted and said he suggested that be included as a part of the site plan application. He said it is shown on the site plan submitted. Mr. Robert said a permit had been obtained through the City. Mr. Corwin said it should not have been granted because it requires site plan approval. He said he would look into the circumstances behind which the permit was granted. Mr. Horne said there is no longer a trailer on the site, but they have installed a container that holds tires.

Mr. Hayes asked about the 1,500-gallon and 500-gallon tanks (underground) on the proposed septic plan. He said one of them appears to be where the new garage is supposed to be located. Mr. Hayes said if they are planning to park vehicles in the garage, they will need an oil / water separator will be required.

Mr. Roberts said a new septic system has been submitted to the City and approved by the state. He said the 1,500-gallon and 500-gallon underground tanks are not currently on the site – they are part of a proposed septic plan submitted (included in the agenda packet materials) if the main system fails. Mr. Roberts said he will contact the designer and ask him to submit an updated septic plan. Mr. Hayes noted that the location of the proposed tanks (for the proposed back-up plan) will not be convenient if they have to be used if the main system fails.

Mr. Horne said they have rental space on the second floor of the building. Mr. Hayes said adding a second tenant space is going to have building code and site plan changes that will need to be approved before any other tenants are brought into that building.

Mr. Roberts said a new well had to be drilled on the property behind the parking lot. He said they were not aware the existing well was contaminated before he bought the property.

Deputy Chief Libby asked if the cars would be kept in the garage overnight. Mr. Roberts said the 18 or so cars on site would be parked in the parking lots in parking spots. Mr. Corwin said parking would have to be discussed if a second tenant moves into the building.

Mr. Finley said stormwater regulations or stormwater treatment do not seem to be included in the checklist for this project. Mr. Corwin said there are applicable requirements for a site plan that would apply to this project as well. He said the City is looking for reasonable measures to be made to control or treat stormwater in a site plan. Mr. Roberts said some swales and storm drains have been installed throughout the property area. Mr. Roberts said they may need to use the garage to wash cars. Mr. Hayes said that the garage will have to be attached to an approved sewage disposal system if that's the case. Mr. Roberts said the designer was told the system needed to be sized to handle that. Mr. Finley said the system for an office is designed for 250 gallons of water per day. He said even if it is upsized it to 300 gallons per day, it is not taking into account any water coming from washing cars so it may need to be upgraded further.

Mr. Roberts said the trailer is not on pavement. Mr. Corwin and Mr. Finley said the plans appear to show it located on pavement. Mr. Finley noted there is an open culvert in front of the garage

and suggested they could build a small bioretention area adjacent to the garage as well. Mr. Finley said he could provide the standard spec details for a bioretention area.

Mr. Corwin noted that there are some differences in the plans that were created by Mr. Finley for Pathways for proposed self-storage use in 2019. Mr. Corwin said the plans were approved but not built. He said they need to make sure what's on the current owner's plans must match what's on the site. He noted the past plans did not have striped spaces in the parking lot and Mr. Roberts said they did stripe the parking lot. Mr. Corwin said the 2019 plans included proposed landscaping along the front of the building and asked if some of that could be included in the current plans. Mr. Roberts said there are three or four trees planted in front of the building. Mr. Corwin said adding an additional tree would be sufficient.

Mr. Corwin opened the public comment portion of the public hearing.
Mr. Corwin closed the public comment portion of the public hearing.

A MOTION was made by Tim Corwin that the Lebanon Minor Site Plan Committee approves the application of 254 DC HWY, LLC, regarding 254 Dartmouth College Highway (Tax Map 109, Lot 65), zoned GC, for Site Plan Review pursuant to Sections 3.1.C and 3.2 of the Lebanon Site Plan Review Regulations to construct a +/-544 sq. ft. addition to the existing building to be used as a garage for the cleaning and vacuuming of vehicles and to install a 12 ft. by 40 ft. storage trailer per Section 211.2 of the Zoning Ordinance, as shown on a plan sheet submitted by the applicant included with the agenda packet November 14, 2024 meeting of the Minor Site Plan Committee, dated October 15, 2024, including any and all submissions and testimony provided for and during the public hearing, with the following conditions:

General Conditions

- 1. 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.***
- 2. A building permit must be applied for and issued within two (2) years of the date of this approval.***

Conditions to be Satisfied Prior to Application for a Building Permit

- 3. The applicant shall make the following revisions to the plan set to the satisfaction of the Planning and Development Department and the Department of Public Works:***
 - a) Add a stormwater bioretention area to the rear of the proposed garage and include a construction detail.***
 - b) Add a tree at the front of the property to the west of the property using an acceptable tree per Section 6.2 of the Site Plan Review Regulations.***

The applicant shall provide the Planning and Development Department with a digital copy of the revised plan set saved in a PDF-A format for archival purposes.

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

4. The development shall be subject to the 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 in May 2024.

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

5. The impact fee calculated pursuant to Condition of Approval #6 shall be paid.

6. All improvements depicted on the plan set shall be completed and shall be constructed as depicted on the approved plan, including any modifications to the plan as may be approved by the Minor Site Plan Committee in accordance with the Site Plan Review Regulations.

7. The applicant shall obtain NHDES approval of a septic plan that accounts for the wastewater generated by the proposed use.

The Motion was seconded by Rod Finley.

Roll Call Vote:

Voting For – Mr. Hayes, Mr. Corwin, Mr. Finley, Mr. Libbey

Voting Against – None

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

Mr. Hayes noted that, if the proposed framed walls of the garage will be 10 feet tall or higher, they will need an engineered design.

4. OTHER BUSINESS

None

5. APPROVAL OF MINUTES - July 11, 2024

A MOTION was made by Jeffery Libbey to approve the Minor Site Plan Review Committee Meeting Minutes of July 11, 2024. The Motion was seconded by Tim Corwin.

Roll Call Vote:

Voting For – Mr. Hayes, Mr. Corwin, Mr. Libbey

Voting Against – None

****The MOTION was approved (3-0 with Mr. Finley abstaining).***

Mr. Corwin said he is working on amending the site plan regulations to clarify that Mr. Hayes will be added as an official member of this committee and the Planning Director will serve as the Chair of this committee. He said he will be designated as Staff to the Committee.

4. ADJOURNMENT

A MOTION was made by Lee Hayes to adjourn the meeting at 2:50pm. The Motion was seconded by Rod Finley.

Roll Call Vote:

Voting For – Mr. Hayes, Mr. Corwin, Mr. Finley, Mr. Libbey

Voting Against – None

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

The meeting adjourned at 2:50pm.

Respectfully submitted,

Paula Roux

Recording Secretary