FINAL

LEBANON MINOR SITE PLAN COMMITTEE
CITY COUNCIL CHAMBERS, CITY HALL
OR REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE
FEBRUARY 13, 2025 1:30 PM

MEMBERS PRESENT: Nate Reichert (Director of Planning & Development), Captain Adam Leland (Lebanon Police Department) (REMOTE), Leigh Hays (Building Official), Jeff Libbey (Deputy Fire Chief), Brian Vincent (City Engineer)

STAFF PRESENT: Tim Corwin (Deputy Planning & Development Director)

MEMBERS ABSENT: None

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1. CALL TO ORDER

Mr. Reichert called the meeting to order at 1:32pm. He appointed Mr. Hays to be a voting member for the meeting. Mr. Reichert said Mr. Corwin is recusing himself from voting pursuant to proposed changes to the Minor Site Plan committee rules that allow the director of each participating department (DPW, Fire, Police, Planning and Building) can appoint a representative from their department.

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

Cpt. Leland said he is remote because he has several emergencies happening, so he needed to remain at his office. He said no one else is in the room with him during the meeting.

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 Brian Vincent that neither application on the agenda has the potential for regional impact. The motion was seconded by Leigh Hays.

Roll Call Vote:
Voting For – Cpt. Leland, Mr. Hays, Mr. Reichert, Dep. Chief Libbey, Mr. Vincent
Voting Against – None

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

3. PUBLIC HEARING ITEMS

A. Sarin Tin (applicant), Georgia Anne Tuttle, TTEE (property owner), 129 Mechanic Street (Tax Map 105, Lot 31), zoned GC: A request for Site Plan Review of a proposed conversion of the existing medical office use to a take-out food establishment/sandwich shop. PB2025-06-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 Brian Vincent that the application of Sarin Tin (applicant), Georgia Anne Tuttle, TTEE (property owner), 129 Mechanic Street (Tax Map 105, Lot 31), zoned GC PB2025-06-MSP is complete enough for the Minor Site Plan Review Committee to accept jurisdiction and commence review. The motion was seconded by Jeff Libbey.

Roll Call Vote: Voting For – Cpt. Leland, Mr. Hays, Mr. Reichert, Dep. Chief Libbey, Mr. Vincent
Voting Against – None

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

Mr Nik Fiore (Engineering Ventures) was present on behalf of the applicant. He said the existing location of the Phnom Pen restaurant at the corner of High Street and Mechanic Street is slated to be torn down to make way for a roundabout. He said the owner is looking to convert the former medical office at 129 Mechanic Street into the restaurant's new location. He said the restaurant will have no seating and just a kitchen for take-out service.

The group reviewed the building's original site plan. Mr. Fiore said the main entrance would be moved to the side of the building and an ADA-compliant ramp and parking space would be added. He said 10 parking spaces are required at the location.

Mr. Fiore discussed the changes to the existing layout that would occur with the addition of a kitchen. Dep. Chief Libbey asked if fire/emergency vehicles would have proper access to enter and exit the parking area onto Mechanic Street. Dep. Chief Libbey noted that the fire truck will probably have to remain on busy Mechanic Street and potentially block traffic if called to the restaurant for an emergency.

Mr. Vincent noted it appears the ADA-designated parking space is near a raised retaining wall holding up the parking space. He asked if that would remain as the accessible parking space. Mr. Fiore said it would remain a parking space but would be replaced if needed. Mr. Vincent also asked if the space would encroach onto the 20-foot clearance space of the driveway, which Mr. Fiore said it would not.

Mr. Vincent also suggested that an external grease trap from the kitchen be required as a condition of approval. He also said an increase in water/sewer use (once the building is a restaurant instead of a medical office building) may require a permit because it may be considered a change in use.

Mr. Hays said the plans include two different dimensions for the accessible parking space, based on the dimensions of a regular vehicle versus a van, and he asked if it would be used by both types of vehicles. He confirmed with Mr. Fiore the space meets the current ADA design requirements.

Cpt. Leland said he the one-way traffic around the back of the building is okay as long as there is acceptable signage to direct vehicles.

Mr. Reichert said the applicant should ensure that the vegetative buffer is maintained between the residential and commercial use of the building. Mr. Fiore confirmed the buffer would remain. Mr. Reichert also asked about snow storage and whether it would potentially impede the vision of the drivers attempting to get in and out of the parking area. Mr. Fiore said the snow storage is accommodated on the private property side of the property.

Mr. Reichert asked about signage on the property, and Mr. Fiore said it has not yet been determined. Dep. Chief Libbey asked about the location of the propane tank that will be installed for the restaurant. Mr. Fiore said there is room behind the building. Mr. Reichert said energy or signage requirements may trigger an amendment to the site plan which may require the applicant to come back before the Minor Site Plan Review Committee.

Mr. Reichert opened the public comment portion of the hearing. No one from the public spoke. Mr. Reichert closed the public comment portion of the hearing.

A MOTION was made by Brian Vincent that the Lebanon Minor Site Plan Committee approves the application of Sarin Tin (applicant) and Georgia Anne Tuttle, TTEE (property owner), regarding 129 Mechanic Street (Tax Map 105, Lot 31), zoned GC, PB2025-06-MSP, for Site Plan Review pursuant to Sections 3.1.C and 3.2 of the Lebanon Site Plan Review Regulations to convert the existing medical office use to a take-out food establishment/sandwich shop as depicted in the application materials and on a 4-sheet plan set prepared by T&M Associates, Inc., dated March 20, 1989, revised May 11, 1989, as further revised by Engineering Ventures, PC with a revision date of January 28, 2025, and including any and all submissions and testimony provided for and during the public hearing, with the following conditions:

General Conditions

1. ***This approval shall automatically expire and be deemed void upon failure to meet any of the conditions of approval set forth herein within the timeframes specified. 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 (4.10.A).***

3. ***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.***

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

4. ***The applicant shall obtain approval from the City Council or the City Manager's office for any additional water and/or sewer flows in accordance with the applicable Chapter 136 and 182 of the City Code.***
5. ***The applicant shall make the following revisions to the plan set to the satisfaction of the Planning and Development Department, Department of Public Works, and the Fire Department:***
    a) Depict location of propane tanks.
    b) Amend the cover sheet to provide description of plan revisions (5.1.E.4.d 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.

6. ***The development is 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 on May 20, 2024. A completed impact fee invoice and acknowledgment form shall be completed by the applicant and submitted with the building permit application.***
7. ***An internal grease interceptor may be permitted if approved by the Department of Public Works. If so approved, the plan set shall be revised to the satisfaction of the Department of Public Works.***
8. ***All engineering review fees shall be paid in full as required by Section 4.7.E.1 of the Site Plan Review Regulations. (Note: applicant can request an invoice from the Department of Public Works).***

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

9. ***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

10. ***The impact fees calculated pursuant to Condition of Approval #6 shall be paid.***

11. The applicant shall obtain a sign permit prior to the installation of any signage as required by Section 608 of the Zoning Ordinance, and shall comply with all applicable requirements of Section 608.
12. All improvements depicted on the plan shall be completed, and shall be constructed as depicted on the approved plan, including any modifications to the plan as may be approved by the Minor Site Committee in accordance with the Site Plan Review Regulations.

The MOTION was seconded by Jeff Libbey.

Roll Call Vote:
Voting For – Cpt. Leland, Mr. Hays, Mr. Reichert, Dep. Chief Libbey, Mr. Vincent
Voting Against – None

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

B. Lebanon Plaza Associates, LLC, 2-8 Market Street (Tax Map 101, Lot 1), zoned GC: A request for Site Plan Review to construct a +/-900 sq. ft. addition and a +/-252 sq. ft. addition to the existing grocery store building together with related site modifications and a reduction of eight (8) parking spaces. PB2025-07-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 Brian Vincent that the application of Lebanon Plaza Associates, LLC, 2-8 Market Street (Tax Map 101, Lot 1), zoned GC PB2025-07-MSP is complete enough for the Minor Site Plan Review Committee to accept jurisdiction and commence review. The motion was seconded by Leigh Hays.

Roll Call Vote:
Voting For – Cpt. Leland, Mr. Hays, Mr. Reichert, Dep. Chief Libbey, Mr. Vincent
Voting Against – None

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

Mr. Dave Fenstermacher of VHB and Mr. Jay Lord were present on behalf of the applicant. Mr. Fenstermacher said Hannaford's grocery store is looking to increase its cooler and storage space on its current site. He said the addition of two coolers totaling 900 square feet will result in the loss of parking spaces, but enough spaces will remain to meet the requirements of the site.

Dep. Chief Libbey asked where the fire connection is located, and Mr. Lord said it is at the left front of the building. Mr. Vincent said if the coolers/freezers generate condensate, it can't be discharged to City municipal sewer system per City code. He said if that happens the mechanical plan should show it going to a daylight or underground or drywell location. Mr. Lord said they should not generate condensate, but he would make a note and let the architect know.
Mr. Hays asked about whether new cuts would be made into the walls between the connection

and the new coolers. Mr. Lord said they would be new cuts into the wall. Mr. Hays said the freezers should not impact the current emergency exit egress plan. Mr. Fenstermacher confirmed that none of the areas where work is being done are in a flood plain.

Mr. Reichert asked about the changes in calculation of the number of required parking spaces for retail and storage uses from what had been approved in the past. He proposed that the parking calculation plan should identify the area of use within the building (13,933 square feet) and account for that based on the difference between retail use and storage use. Mr. Reichert also noted discrepancies in the total square footage of the building. Mr. Fenstermacher said those inconsistencies occurred because the new addition's square footage was added to the total in the later iterations of the plans submitted by the applicant. Mr. Reichert said he may ask for a use area map to be delineated in the parking plan and included in the project materials.

Mr. Reichert opened the public comment portion of the hearing. No one from the public spoke. Mr. Reichert closed the public comment portion of the hearing.

A MOTION was made by Brian Vincent that the Lebanon Minor Site Plan Committee approves the application of Lebanon Plaza Associates, LLC, regarding 2-8 Market Street (Tax Map 101, Lot 1), zoned GC, PB2025-07-MSP, for Site Plan Review pursuant to Sections 3.1.C and 3.2 of the Lebanon Site Plan Review Regulations to construct a +/-900 sq. ft. addition and a +/-252 sq. ft. addition to the existing grocery store building together with related site modifications and a reduction of eight (8) parking spaces as depicted in the application materials and as shown on a plan set titled, "Hannaford Supermarket & Pharmacy," dated January 28, 2025 (3 Sheets), and including any and all submissions and testimony provided for and during the public hearing, with the following conditions:

General Conditions

1. ***Except as otherwise modified pursuant to this approval and the conditions of approval below, the Notice of Action dated July 10, 2017, for PB2017-14-SPR and the site plan set referenced therein shall remain in full force and in effect.***
2. ***This approval shall automatically expire and be deemed void upon failure to meet any of the conditions of approval set forth herein within the timeframes specified. 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. ***A building permit must be applied for and issued within two (2) years of the date of this approval (4.10.A).***

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

4. ***The applicant shall provide a parking calculation plan that identifies the internal uses within the building and shall verify the parking calculations and update the plan set to the satisfaction of the Planning & Development Department.***
5. ***The development is 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 on May 20, 2024. A completed impact fee invoice and acknowledgment form shall be completed by the applicant and submitted with the building permit application.

6. ***All engineering review fees shall be paid in full as required by Section 4.7.E.1 of the Site Plan Review Regulations. (Note: applicant can request an invoice from the Department of Public Works).***

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

7. ***The impact fees calculated pursuant to Condition of Approval #5 shall be paid.***
8. ***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 Minor Site Plan Committee in accordance with the Site Plan Review Regulations.***

The MOTION was seconded by Leigh Hays.

Roll Call Vote:
Voting For – Cpt. Leland, Mr. Hays, Mr. Reichert, Dep. Chief Libbey, Mr. Vincent
Voting Against – None

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

4. APPROVAL OF MINUTES – November 14, 2024

A MOTION was made by Jeff Libbey to approve the Minor Site Plan Review Committee Meeting Minutes of November 14, 2024. The Motion was seconded by Nathan Reichert.

Roll Call Vote:
Voting For – Cpt. Leland, Mr. Hays, Mr. Reichert, Dep. Chief Libbey, Mr. Vincent
Voting Against – None

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

4. ADJOURNMENT

A MOTION was made by Jeff Libbey to adjourn the meeting at 2:29pm. The MOTION was seconded by Brian Vincent.

The meeting adjourned at 2:29pm.

Respectfully submitted,
Paula Roux
Recording Secretary