



**LEBANON PLANNING BOARD
JUNE 23, 2025 - 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: 254 928 986#). If you have trouble accessing this meeting, please [email Tim Corwin](#).

2. Public Hearing Items

- A. Alice Peck Day Memorial Hospital, 10 Alice Peck Day Drive (Tax Map 90, Lot 59), zoned R-3: Request for Site Plan review to a) install a +/-1,200 sq. ft. concrete pad on the east side of the existing hospital building and b) construct a proposed 58-space parking lot to serve the existing hospital use, together with associated site improvements.
PB2025-29-SPR - Postponed from June 9, 2025
[Link to June 9th meeting documents](#)

3. Study Items

- A. Review of 2026-2031 Capital Improvement Plan (CIP) Preliminary Project List - Continued from May 27, 2025
[Link to May 27th meeting documents](#)

4. Committee Reports

- A. **City Council Subcommittees:**
--Class VI Roads Advisory Committee
--Lebanon Energy Advisory Committee
- B. **Other Subcommittees:**
--City Council Representative
--Heritage Commission
--Pedestrian & Bicyclist Advisory Committee
--Upper Valley Lake Sunapee Regional Planning Commission
--UV Subcommittee of the Connecticut River Joint Commissions
--Upper Valley Transportation Management Association
--Mascoma River Local Advisory Committee
--West Lebanon Revitalization Advisory Committee
- C. Planning Board Development Regulations Subcommittee
- D. Minor Site Plan Committee
- E. Housing Task Force

5. Other Business

- A. Planning Board process improvement/implementation of Rules of Procedure
- B. Planning Board Training

6. Approval of Minutes

A. May 27, 2025

B. June 9, 2025

7. Adjournment

The order of agenda items is subject to change.

Meetings are open for in-person and remote attendance. Members of the public who 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 disrupt virtual or phone connection(s), the meeting will continue without remote access capabilities.

Any person with a disability who wishes to attend this public meeting and needs additional accommodation, please contact the ADA coordinator at City Hall by calling 603-448-4220 at least 72 hours in advance so that the City can make any necessary arrangements.

DRAFT

**LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
TUESDAY, MAY 27, 2025 6:30PM**

MEMBERS PRESENT: Andrew Faunce (Chair), Richard Ford Burley (Vice Chair), Eric Stacy, Kellen Appleton, Karen Zook (City Council Rep), Kathie Romano (alt)

MEMBERS ABSENT: Patrick Kennelly, Jeremy Rutter

STAFF PRESENT: Tim Corwin (Deputy Planning Director), Nathan Reichert (Director of Planning & Development), Brian Vincent (City Engineer)

1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:34pm. Mr. Corwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures. Chair Faunce appointed Ms. Romano as a regular voting member for this meeting.

2. PUBLIC HEARING ITEMS

A. Families Flourish North East (applicant), Mary Hitchcock Memorial Hospital (property owner), 424 Mount Support Road (Tax Map 24, Lot 6), zoned R-1: Applicant requests Site Plan Review for a proposed +/-19,661 sq. ft., 3-story treatment and recovery center/group residence with 12 residential rooms, together with associated site improvements including access, parking, utilities, landscaping, and lighting. PB2025-17-SPR - Continued from May 12, 2025

Mr. Nik Fiore (Engineering Ventures), Ms. Mara Robinson (Mara Landscape Design), Mr. Tim Criswell (Studio Nexus), Mr. Thomas Sullivan and Ms. Courtney Tanner (Families Flourish NE), and Mr. Dave Duncan (DHMC Facilities Management) were present on behalf of the applicant.

Mr. Fiore gave an overview of the project, which involves the new construction of a treatment/recovery center/group residence for mothers recovering from addiction. He noted the applicant is making several waivers requests and said he would



reference them as appropriate during his presentation.

He said the site contains a lot of wetland area and he said the project team worked hard to design the building to fit within the property so as to minimize the wetland impacts. He said the Conservation Commission had reviewed the application and gave its input as well.

He said they located parking on the north end less than 15 feet from the property line and on the south end a little more than 15 feet from the property line. He noted that the setback line is 20 feet from the property line, but the City's multi-use pathway intersects the property which results in the area between the pathway and the parking area to be less than 15 feet. He said they want to leave a landscaping strip between the parking and the pathway, which further restricts the area.

Mr. Fiore discussed the stormwater management plan for the project. He said stormwater would be channeled through a proprietary filter system into a catch basin at the corner of the lot and then into the existing municipal line in the street and to the sewer. He said the discharge rate would not exceed the existing conditions.

He said the location of the front entrance of the building is perpendicular to the front of the property. Chair Faunce asked if signage will indicate where the main entrance is and Mr. Fiore said they could add a sign. Mr. Criswell said the entry porch will have a roof over the entry and a small gable has been added, which is not in the drawings in the meeting agenda materials.

Mr. Fiore said the light from the light pole in the front of the property would spill over the property line. He said if they try to move the light pole back (closer to the building), it will throw the other lighting on site off balance. He said adding shields to that light may create a sharp cutoff of light as vehicles utilize the multi-use pathway that intersects the site.

Waivers Being Requested by Applicant	Reasons for Waiver Requests
Waiver request for the requirement of the 10-foot landscaping buffer about the building.	He said the site is tight from the start because of the wetlands areas, and he said the requirement of the 10-foot buffer would push the project area further into the wetlands.
Waiver request for the requirement prohibiting parking in the front yard of the building.	He said parking is located at the front of the building because of the limitations of space and because they want to use the backyard area as a place for the residents for outdoor activities.
Waiver request for the requirement for permitted landscaping.	He said the applicant is asking that the existing vegetation on the site be allowed to remain and act as the landscaping.

Waiver request for the requirement for screening around the transformer.	He said the transformer will be located on an island in the parking lot, which he said was the only place they could locate it without disturbing more wetlands. He they will install bollards around the transformer.
Waiver request for the requirement for 40-foot spacing between trees along the front yard	He said here's utility pole at the front of the property with a guide wire and they can't locate trees closer to that existing feature. He said they are spreading out a couple of trees a bit further than 40 feet apart in that area.
Waiver request for the requirement for vegetation/shade tree in the landscaping islands at the end of the rows of parking	He said the transformer is located in the only landscaping island they have room for in the parking lot. He said there is no room for vegetation/trees, as stated previously.
Waiver request for the requirement that the main entrance of the building face the front of the property.	He said, because the buildable site is so tight, the front entrance is located to the right of a front vestibule that faces the front of the property.
Waiver request for the requirement to have trees that are 12 inches or more in diameter located away from the property line.	He said the applicant is asking that the existing vegetation on the site be allowed to remain and act as the landscaping.
Waiver request for the requirement to provide test pits for stormwater.	He said they are asking to be allowed to provide them later in the application process, as a condition of approval, as opposed to providing them now.
Waiver request for the requirement for lighting at the front of the property.	He said the location of a light pole in the front of the property throws light a little bit over the front property line. He said if they relocate the light pole further back it will throw off the balance for the rest of the lighting.

1
2 Mr. Fiore explained the snow removal plan for the site. He said the wetlands will be protected
3 from snow collection areas. He said they could add signs to alert plow drivers not to put snow in
4 the wetland areas. Ms. Romano noted it is curious that this site is not included in the Route 120
5 Corridor Study as a wetlands area.

6
7 The group discussed the proposed stormwater management plan at length. Mr. Vincent explained
8 how the volume of stormwater is estimated and how stormwater management systems are
9 designed (Flood Control Methodology) to release flow in a controlled manner so the lower-lying
10 areas of downtown Lebanon are not flooded. Mr. Vincent noted that this site has a lot of
11 wetlands that act like “sinks” for extra water and is an added layer of water control.

12
13 Dr. Ford Burley asked if the building could be designed to be smaller to fit better on the site and
14 not require all the waivers that the applicant is currently requesting. Mr. Fiore said the
15 Conservation Commission also asked this question. He said all of the services that are needed to
16 accommodate the 12-bed facility were deemed critical and, therefore, the size of the building

1 could not be shrunk any further. Ms. Tanner said the team worked very hard to keep the design
2 as tight as possible but still provide all the facilities and services that are needed for 12 residents,
3 their children (perhaps), and 24-hour staff.

4
5 The group discussed the purpose of Section 51.E.16, related to vegetation requirements, at
6 length. They discussed how this site has a lot of existing vegetation that can meet many of the
7 screening and perimeter landscaping requirements as it is without further wetlands impacts.
8 Chair Faunce noted that the applicant has not demonstrated how it will manage the existing
9 vegetation, which will continue to grow larger and thicker. The group discussed adding a
10 condition of approval that the applicant will not bring equipment into the wetlands areas in order
11 to manage screening of the existing vegetation between this property and abutting properties.

12
13 Chair Faunce opened the public comment portion of the public hearing.

14
15 Ms. Emily Britton (Ward 2) said she wanted to voice her support for this development. She said
16 she has worked in obstetrics as an RN for 15 years. She said this type of facility, which would
17 only be the third of its kind in NH, would mean a great deal not only to the patients but to the
18 healthcare providers who really struggle with how to help patients when they leave the hospital
19 because they need a lot of support to work through their disorders.

20
21 Chair Faunce closed the public comment portion of the meeting.

22
23 Mr. Sullivan said Mr. Andrew Winter (Executive Director of Twin Pines) is an abutter toward
24 the south side of the project site. He said Mr. Winter has been an advocate of the project and he
25 said he is sure Mr. Winter will help work through landscaping issues that may affect the abutting
26 properties. He thanked the City boards and committees for their help and input with the design
27 process.

28
29 Chair Faunce closed the public hearing.

30
31 The group discussed two proposed conditions of approval that were not included in the original
32 documentation for this application. Mr. Corwin said one was related to the lighting issue that was
33 discussed with the applicant earlier in the meeting. He said the other was a condition of approval
34 proposed by the Fire Department. He read the following draft language:

35
36 *"The applicant shall provide a wildland fire hazard assessment as required by the current*
37 *version of the NFPA that is in force and in effect and shall provide such assessment to the*
38 *Lebanon Fire Department for review."*

39
40 ***A MOTION was made by Richard Ford Burley that, for the application of Families Flourish***
41 ***North East and Mary Hitchcock Memorial Hospital PB2025-17-SPR, the Lebanon Planning***
42 ***Board approves the partial waivers from the following sections of the Site Plan Review***
43 ***Regulation:***

44 ***Section 6.2.D***

45 ***Section 6.2 B***

46 ***Section 6.5.E.7***

47 ***Section 6.2.B.8***

48 ***Section 6.2.B.10***

49 ***Section 6.2.E.2***

1 *Section 6.5.C.2*

2 *Section 5.1.E.16*

3 *Section 6.6.C.1.2.k*

4 *Section 6.7.B.2*

5 *as outlined in the application for waivers for this particular application.*

7 *The MOTION was seconded by Kellen Appleton.*

9 **The MOTION was approved (6-0).*

12 *A MOTION was made by Richard Ford that the Lebanon Planning Board approves the application of Families Flourish North East (applicant) and Mary Hitchcock Memorial Hospital (property owner), regarding 424 Mount Support Road (Tax Map 24, Lot 6), zoned R-1, PB2025-17-SPR, for Site Plan approval to construct a +/-19,661 sq. ft., 3-story treatment and recovery center/group residence with 12 residential rooms, together with associated site improvements as shown on a plan set titled "Families Flourish Northeast," dated March 10, 2025, last revised April 29, 2025, prepared by Engineering Ventures, PC, EV Project # 22063 (23 sheets), including any and all submissions and testimony provided for and during the public hearing.*

22 *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.*

28 *This approval is subject to the following conditions:*

29 *General Conditions*

- 30 *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.*
- 33 *2. 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 March 6, 2025, which are the regulations in effect at the time the application was submitted.*
- 37 *3. 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.*
- 40 *4. "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.*
- 46 *5. "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.
6. 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.
 7. The applicant shall implement and maintain NHDES Site Specific Best Management Practices before, during, and after construction.
 8. Prior to the start of any construction activities on the property, erosion control measures, including edge-of-disturbance fencing if applicable, 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.
 9. The property owner is responsible for the maintenance and operation of the stormwater management system in accord 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).
 10. All service areas and facilities including garbage and waste disposal containers, recycling bins, electrical and mechanical equipment such as transformers and compressors, meter clusters, and other utility elements must be screened in accordance with Section 6.2.B.8 and Section 6.10.B.5 of the Site Plan Review Regulations.
 11. Traffic impacts from the project will be addressed through the project's inclusion in the Mount Support Road Special Assessment District, which inclusion shall commence upon the Planning Board's conditional approval.

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

12. Within 45 days of the Planning Board's approval, the applicant shall provide the soil data required by Section 6.6.C.1.2.k of the Site Plan Review Regulations and shall update the drainage report and plan set as needed to the satisfaction of the City Engineer.
 13. Within 45 days of the Planning Board's approval, 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) Address the low point on the back walkway area on the south of the building where it appears to trap stormwater.
 - b) Correct the labeling of the drainage structure D4 elevations.
 - c) Correct discrepancy in size of office space as shown on the cover sheet (2,812 sq. ft.) and as shown on the floor plan (Sheet DS.10, dated April 28, 2025) (2,780 sq. ft.).
 - d) Add a note to the cover sheet indicating that the plan is approved pursuant to the City of Lebanon Site Plan Review Regulations last revised January 23, 2023, and the City of Lebanon Zoning Ordinance last revised March 6, 2025.
 - e) Update the Existing Conditions Plan (Sheet 7 / C1.1) to remove the "EV edit" to Note 5 and to identify the City's easement per Section 5.1.E.2 and 5.1.E.5.
 - f) On Sheet 8 / C2.1:
 - i. Identify the wheel stop construction material and provide a construction detail.
 - ii. Show required sight distances at curb cut. (5.1.E.10)
 - iii. Add a plan note regarding snow removal.
 - g) Provide a sewer utility profile drawing at a scale of 1"=4 feet (vertical). (5.1.E.21)
 - h) Amend the cover sheet to provide description of plan revisions (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.

14. The applicant shall provide a letter or certification from the engineer or record or other qualified design professional confirming that the approved plan set meets the accessibility standards of the State of New Hampshire Building Code.
15. 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. (Note: the water and sewer approval process is administered by the Department of Public Works. Water Use Permit and Sewer Use Permit application forms are available on the City of Lebanon website).
16. 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).
17. The applicant shall apply for an Excavation Permit, a Driveway Permit, and, if determined by the Department of Public Works to be required in accordance with City Code Chapter 124, a Stormwater Permit.
18. The applicant shall provide a wildland fire hazard assessment as required by the current version of the NFPA that is in force and in effect, and shall provide such assessment to the Lebanon Fire Department for review.

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

19. Prior to the start of any construction activities on the property, 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.
20. 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, and temporary sedimentation and erosion control, and (b) all off-site work within the City's right-of-way (including but not limited to water, sewer, driveways, drainage), in accordance with 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 an Infrastructure Inspection Agreement.
21. Pursuant to Section 213 of the Zoning Ordinance and the Impact Fee Schedule adopted on May 20, 2024, the development shall be subject to City of Lebanon impact fees in the amount of \$28,311.84.
22. All water and sewer fees shall be paid as set forth in City Code Chapter 68.
23. The applicant shall obtain an Excavation Permit, a Driveway Permit, and, if determined by the Department of Public Works to be required in accordance with City Code Chapter 124, a Stormwater Permit.
24. Prior to the start of any construction activities on the property, the applicant shall obtain or update (if appropriate) any required Federal or State approvals, including but not limited to:
 - a) NHDES Sewer Connection Permit
 - b) NHDES Wetlands Permit
 - c) SWPPP coverage under the Construction General Permit (if applicable)

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

- 1 **25. Unless otherwise agreed to by the Department of Public Works, the applicant shall be**
2 **responsible for maintaining all improvements constructed by the applicant within the**
3 **public right-of-way, including but not limited to utility infrastructure. Maintenance**
4 **responsibilities and ownership shall be memorialized in writing in a form acceptable to**
5 **the Department of Public Works and the City's legal counsel.**
- 6 **26. If the water curb stop is located outside of the Mount Support Road right-of-way, the**
7 **applicant shall dedicate any completed on-site water mains and hydrants, excluding**
8 **service connections beyond the curb shut-off valves, to the City for ownership and**
9 **maintenance, subject to appropriate easements. Said conveyance and easements shall be**
10 **approved by the City Attorney and the Department of Public Works and recorded in the**
11 **Grafton County Registry of Deeds prior to the issuance of a final Certificate of**
12 **Occupancy for the project and prior to the acceptance of the utility improvements.**
- 13 **27. The impact fee calculated pursuant to Condition of Approval #19 shall be paid.**
- 14 **28. Third-party engineer or design engineer inspection reports and as-built drawings**
15 **provided by the applicants (PDF format and CAD .dwg format, using the NH State Plane**
16 **Coordinate System), including tie sheets, shall be reviewed and approved by the City**
17 **Engineer.**
- 18 **29. All improvements depicted on the plan shall be completed and shall be constructed as**
19 **depicted on the approved plan, including any modifications to the plan as may be**
20 **approved by the Planning Board in accordance with the Site Plan Review Regulations.**

21
22 ***The MOTION was seconded by Eric Stacy.***

23
24 ****The MOTION was approved (6-0).***

25
26
27 At 7:52pm, Chair Faunce called for a recess.

28 At 7:59pm, the meeting resumed.
29

30
31 **3. STUDY ITEMS**

32 **A. Review & Comment on Proposed Zoning Amendments**

33 **• Route 120 Environmental Overlay District**
34

35 Mr. Reichert gave an overview of the proposed zoning amendments as noted in the meeting
36 agenda. He said the amendment language and map related to the Route 120 Environmental

Overlay District continue to be discussed with the public and will not be finalized before the City Council's June 5, 2025 meeting as had been planned. He said it will likely be discussed at a July or August meeting and may even be delayed until the fall.

He said the draft text for the amendment and a draft map are included in the agenda packet for this meeting. He said the focus of the text is to protect certain elements within the developing "Northern Lebanon" neighborhood:

- Wildlife crossing
- Wetlands
- Steep slopes

He asked the Board members to review them and give their input. He said the map in particular is probably not complete.

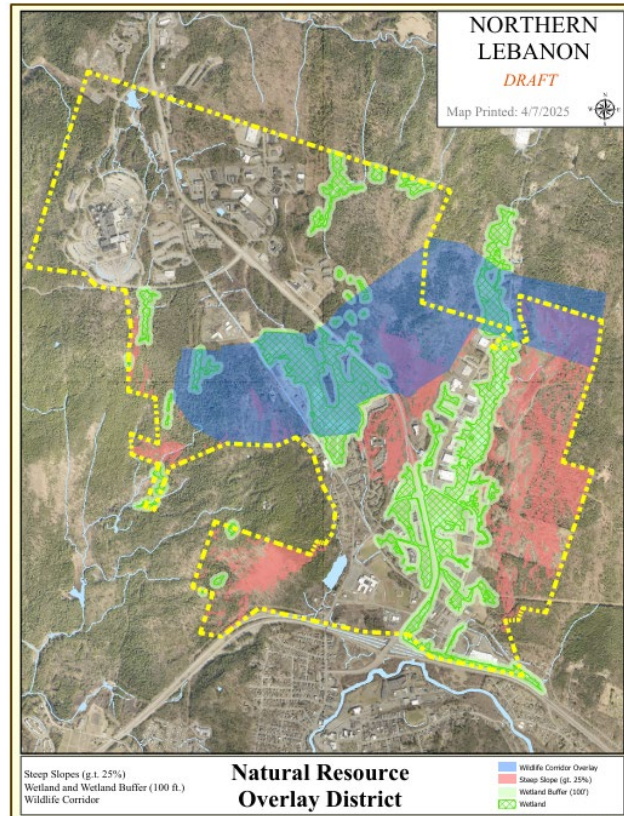
The group discussed the following elements of the draft map:

- Adding signage to inform residents of the sensitivity of the high value wetlands in the northernmost part of the area
- Wildlife corridor
- Allowing IND-L areas to develop responsibly
- Impacts of wetlands buffers on developable land in the area
- Steep slopes
- Single-family housing
- Desire of the residents to create a neighborhood atmosphere

Ms. Romano asked if the areas of wetlands that are regulated could be added to this map. She said it would be helpful to know which wetlands need to be regulated and which do not.

Dr. Ford Burley noted that, per the Conservation Commission, industrial areas are less disruptive to wetlands than residential areas. Mr. Reichert said the businesses in the area would like to be allowed to grow their businesses in an environmentally conscious way

Mr. Reichert discussed the limits to the amount of impervious surfaces for businesses within buffer areas. He said businesses within the buffer area can have no more than 20% impervious surface, which includes parking and buildings' impervious materials. He said if a development is new, it must keep impervious surfaces to 20% or less (an existing development would be net zeroed). He said, or, owners could remove some pavement from their plans and put in some pervious pavement in its place, which allows owners additional impervious materials that they can use in their building (and still not exceed the 20% limit).



Mr. Reichert said, regarding the protection of steep slopes, that the definition of steep slope needs to be clarified. He said the grade and length of the slope that is considered “steep” should be clearly identified. The group discussed several areas on the draft map that may be considered steep or highly steep slopes.

Ms. Romano noted that the map does not identify any support for the fostering of community in the form of residential housing. The group discussed how that could possibly be identified on an environmental protection overlay. She said she wants both goals – fostering of the neighborhood within the environmental concerns – to be depicted on the map, if possible. Mr. Stacy noted that they are looking at the protections to the overlay district on the map and the areas surrounding the overlay district are not addressed.

Mr. Reichert asked the Board members to send their comments to Staff via email. He said the map will be further developed and a more final version will be brought back to the Planning Board.

• Hotels in General Commercial One (GC-1)

Mr. Reichert said there are hotels already existing in what is proposed to be the GC-1 zone. He said the City does not want to create non-conformity in this new zone, and, therefore, would like hotels to be a permitted use and not non-conforming in that zone. He said GC-1 zone would only constrained to Northern Lebanon and not in other areas of the City.

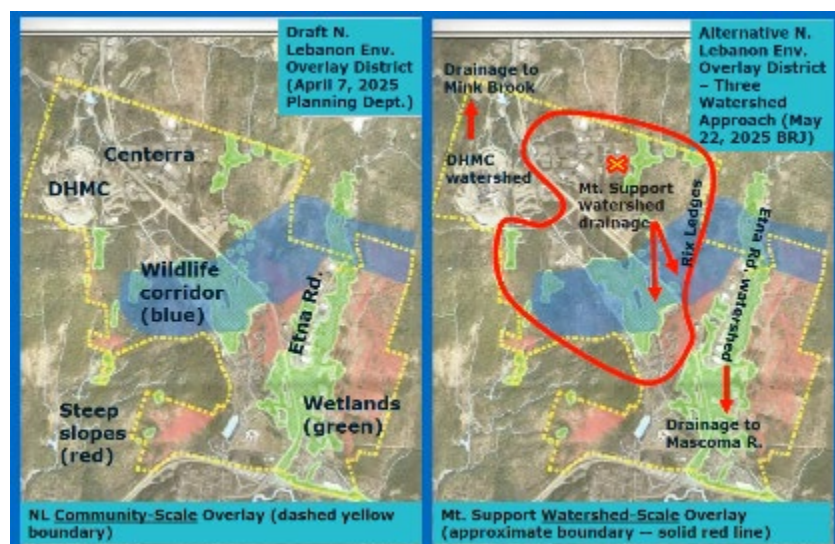
Chair Faunce said the group discussed previously that hotels are relatively good economically to construct and, therefore, may be more attractive to developers to build than residential housing. He said the residents are desiring for Northern Lebanon to have a neighborhood feel, and the addition of hotels as a permitted use may be counter to the development of residential housing in the area for that reason. He said hotels do not create density for neighborhoods – it creates housing for people who are visiting. Mr. Reichert said mixed-use is a goal of the larger plan for the neighborhood concept – restaurants, businesses, etc. Chair Faunce said hotels are the only element that does not support the live/work/play experience that a neighborhood represents.

Watershed Map Draft

Mr. Reichert said that Mr. Bruce James, Vice Chair of the Conservation Commission, had developed an alternate map draft for the environmental overlay district. He said this new map draft was not included in the agenda packet for this meeting.

Mr. James said his map version comprises three watershed areas:

- Mt. Support watershed
- Etna Rd watershed
- DHMC watershed



1 He said the red arrows pointing down (to the south) in the Mt. Support watershed area on the
2 map depict the drainage/flow of groundwater. He said drainage for the Etna Rd watershed area
3 on the map flows to the Mascoma River, and, for the DHMC watershed area, to Mink Brook.

4
5 Mr. James said he feels the way to gain the greatest protection of the natural resources associated
6 with the Northern Lebanon Community development is to make the overlay focus on protection
7 of the Mount Support watershed and exclude the Aetna Rd. and DHMC watersheds from the
8 focus. He said those watersheds are governed by other state and City regulations. He said this
9 idea represents the opinion of the Conservation Commission.

10
11 The group discussed how steep slopes might be protected if Mr. James' suggestion were
12 implemented. Dr. Ford Burley said there are no protections for steep slopes (outside of land
13 zoned RL-3) unless contained in the area identified by the yellow dotted line is the line on the
14 map. Mr. James suggested that steep slope protection should be handled separately from the
15 overlay district. He said the wildlife corridor activity also needs to be more clearly defined.

16
17 Chair Faunce said there was not enough time to receive public comment at this meeting. Mr.
18 Reichert said he has heard previously from many of the people who are present. He asked the
19 present members of the public to send their comments in writing to the Planning Board Chair
20 care of Mr. Reichert.

21 22 **B. 2026 Zoning Amendment Preview**

23 Mr. Reichert said some policy initiatives were not passed by the public this year that the
24 Planning Department may want to undertake as zoning amendments next fall. He said they
25 would like to get the Planning Board's input on the following:

- 26
27 • Clarifying the characteristics of a **Historic District** – He said the Heritage Commission is
28 working to develop the criteria (using national guidelines) for what is required for Heritage
29 Commission approval regarding historic preservation within historic districts in Lebanon.
30 • Further development of **Electric Vehicle (EV)** regulations – He suggested that EV
31 regulations be considered for discussion by the Regulation Development Subcommittee. He
32 said the Lebanon Environmental Advisory Committee would work with the subcommittee to
33 clarify Site Plan Regulations regarding EV requirements.
34 • **Cottage Development** – He said the City of Keene has several cottage development plans
35 and Lebanon could review their policies as a model for its own cottage regulations.
36 • **ADUs (Accessory Dwelling Units)** – Mr. Reichert said some changes have been suggested
37 that should be considered.
38 • Review **Environmental** policies – He said policies related to steep slopes, vernal pools,
39 groundwater protection, and more should be reviewed/updated.
40 • Policy related to the use of **Connex Boxes** – Mr. Reichert the fact that major businesses are
41 using these as warehouses in their parking lots on a permanent, untaxable basis is a policy
42 question that needs to be addressed.

43
44 Mr. Reichert asked the Board members to send their input to the Planning Staff. He said they
45 will bring draft language to the Planning Board meeting in July for another round of review. He
46 said they plan to finalize the language at the Planning Board's August meeting and bring the
47 final proposed amendments to City Council in September.

C. Review of 2026-2031 Capital Improvement Plan (CIP) Preliminary Project List

Mr. Reichert asked the Board members to review the list of proposed CIP projects (included in the agenda packet materials for this meeting) and identify the project principals they would like to present more information about their projects at a future Planning Board meeting.

Mr. Dan Nash (Ward 1) said he has tried in other years to give input on CIP projects in December and has always been “too late” in the process. Mr. Reichert asked him to send his input now to the Board via the Planning Department.

Ms. Zook noted that input from the Planning Board is very helpful to the City Council when they are considering CIP projects. Chair Faunce asked the Board members to consider ranking the projects on the list based on highest to lowest priority.

A MOTION was made by Richard Ford Burley to extend the meeting to 9:45pm. The MOTION was seconded by Andrew Faunce.

****The MOTION was approved (6-0).***

4. COMMITTEE REPORTS – not reviewed**5. OTHER BUSINESS – not discussed****A. Planning Board process improvement/implementation of Rules of Procedure****B. Planning Board Training****6. APPROVAL MINUTES**

March 17, 2025, March 24, 2025, April 14, 2025, April 28, 2025, May 12, 2025

A MOTION was made by Richard Ford Burley to approve the minutes of March 17, 2025, March 24, 2025, April 14, 2025, April 28, 2025, and May 12, 2025 as presented. The MOTION was seconded by Andrew Faunce.

****The MOTION was approved (6-0).***

7. ADJOURNMENT

A MOTION was made by Richard Ford Burley to adjourn the meeting at 9:29pm. The MOTION was seconded by Andrew Faunce.

****The MOTION was approved (6-0).***

The meeting adjourned at 9:29pm.

Respectfully submitted,
Paula Roux
Recording Secretary

DRAFT

**LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
TUESDAY, JUNE 09, 2025 6:30PM**

MEMBERS PRESENT: Andrew Faunce (Chair), Richard Ford Burley (Vice Chair), Eric Stacy, Kellen Appleton, Patrick Kennelly, Karen Zook (City Council Rep), Kathie Romano (alt)

MEMBERS ABSENT: Jeremy Rutter

STAFF PRESENT: Tim Corwin (Deputy Planning Director), Nathan Reichert (Director of Planning & Development), Brian Vincent (City Engineer)

OTHERS PRESENT: Matthew Decker, Esq. (Legal Counsel for the City)

1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:34pm. Mr. Corwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures. Chair Faunce appointed Ms. Romano as a regular voting member for this meeting.

2. NOTICE OF PUBLIC HEARING

None

3. PUBLIC HEARING ITEMS

A. Wayne & Fiona Barr and Ruth H. Guernsey, TTEE, 24 Green Street West (Tax Map 59, Lot 48), 22 Green Street West (Tax Map 59, Lot 49) & 0 Green Street West (Tax Map 59, Lot 64), zoned R-3: Request for approval of a Boundary Line Adjustment. PB2025-30-BLA

Mr. Corwin said the application is complete enough for the Board to accept jurisdiction and commence review.

A MOTION was made by Richard Ford Burley that the Lebanon Planning Board finds the application of Wayne & Fiona Barr, trustees, and Ruth H. Guernsey, trustee for the proposed Boundary Line Adjustment PB2025-30-BLA is complete enough to accept jurisdiction and commence review. The MOTION was seconded by Kellen Appleton.

**The MOTION was approved (6-0).*

Mr. Wayne Barr and Ms. Fiona Barr were present on behalf of the applicant and gave an overview of the application. Mr. Barr said the boundary line adjustment would give them the proper amount of setback required to build an Accessory Dwelling Unit (ADU). He said the

Guernsey trustees are in agreement with the proposed adjustment.

Chair Faunce opened the public comment portion of the meeting. No one from the public spoke.
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 Wayne & Fiona Barr, Trustees, and Ruth H. Guernsey, Trustee for a proposed Boundary Line Adjustment between 24 Green Street West (Tax Map 59, Lot 48), 22 Green Street West (Tax Map 59, Lot 49) & 0 Green Street West (Tax Map 59, Lot 64), zoned R-3, as shown on a plat titled "Lot Line Adjustment Plan prepared for Wayne and Fiona Barr Revocable Trust and Revocable Trust of Ruth H. Guernsey," prepared by Vive Libre Geomatics, dated May 8, 2025, Drawing: 25008-bo, including any and all supplemental submissions and testimony provided during the public hearing, subject to the following conditions:

General Conditions

1. This approval shall be considered void unless all conditions precedent are met and the plat is recorded in the Registry of Deeds within two (2) years from the date of the Notice of Action (Section 7.12.B). The plat shall be recorded by the Planning & Development Department in accordance with Planning & Development Department recording procedures.

2. This approval shall automatically expire and be considered void upon failure to meet any of the conditions of approval set forth herein within the timeframes specified.

Conditions to be Satisfied Prior to the Signing and Recording of the Plat

1. The applicants shall provide a revised plat depicting the following changes to the satisfaction of the Planning and Development Department:

a. Add the statement required by Section 7.11 of the Subdivision Regulations.

b. Add a label to the locus and original boundaries inset maps.

c. Add a note that Tax Map 59, Lot 64 is vacant.

d. Provide the date and description of the plat revisions. (8.2.A.1)

2. The applicants shall provide a digital record drawing of the final revised plat (Cad .dwg format, using the NH State Plane Coordinate system).

3. The applicants shall provide to the City draft copies of the deeds of the land transfer for review to ensure the transfer will be completed properly for Assessing and recording purposes.

4. The applicants shall submit two (2) mylars of the approved plat and applicable recording fees to the Planning & Development Department in accordance with Planning & Development Department recording procedures. (8.1.D & 7.11)

5. The applicants shall submit the executed deeds of the land transfer together with applicable recording fees to the Planning & Development Department to be recorded contemporaneously with the plat.

The MOTION was seconded by Kellen Appleton.

****The MOTION was approved (6-0).***

A MOTION was made by Richard Ford Burley that the Lebanon Planning Board authorizes the Chair to sign the plat of Wayne & Fiona Barr, Trustees, and Ruth H. Guernsey, Trustee, PB2025-30-BLA, as revised pursuant the Planning Board's conditions of approval.

1
2 ***The MOTION was seconded by Kathie Romano.***

3
4 ****The MOTION was approved (6-0).***

5
6 **B. The Falls at Rivers Edge Homeowners Association, Inc., Apple Blossom Drive,**
7 **Fountain Way & Stillwater Drive (Tax Map 44, Lot 19, Plots 100-5300), zoned R-3:**
8 **Request to amend the Conditional Use Permit for the Falls at River's Edge**
9 **development, originally approved on November 22, 1999, to remove condition of**
10 **approval #12 requiring that all dwellings shall be sprinklered. PB2025-28-CUPA**
11

12 Ms. Romano recused herself because she said she is a member of the The Falls at Rivers Edge
13 community. Mr. Corwin said the application is complete enough for the Board to accept
14 jurisdiction and commence review.
15

16 ***A MOTION was made by Richard Ford Burley that the application of The Falls at Rivers***
17 ***Edge Homeowners Association, Inc PB2025-28-CUPA is complete enough to accept***
18 ***jurisdiction and commence review. The MOTION was seconded by Andrew Faunce.***
19

20 ****The MOTION was approved (5-0).***
21

22 Mr. Corwin gave an overview of the application. He said when the project was first approved in
23 1999, all homes were required by the Planning Board to be sprinklered, and the plans for each
24 unit of The Falls development include sprinklers. He said that requirement is no longer
25 enforceable by the Planning Board. He said members of the Association have several reasons for
26 wanting to remove the sprinklers in the units.
27

28 Ms. Laurel Stavis and Mr. Tom Benzel (The Falls at Rivers Edge Homeowners Association) and
29 Attorney Barry Schuster were present on behalf of the applicant.
30

31 Ms. Stavis said she had a leak in the sprinkler system which leaked antifreeze into her home
32 through a crack in the ceiling. She said the leak was due to the failure of a small plastic joint. She
33 said antifreeze is dangerous to those living in the home, especially pets. Mr. Benzel said the
34 plastic parts have degraded over time. He said other residents know that the issue is being
35 brought to the Planning Board, and he said, if the request to remove the systems is approved at
36 this meeting, it will be up to each individual owner whether they want to keep the sprinkler
37 system or not.
38

39 The group discussed how the other residents would be notified and that the Fire Department had
40 been consulted to ensure the units would be safe without the sprinkler systems if they were
41 removed.
42

43 ***A MOTION was made by Richard Ford Burley that the Lebanon Planning Board approves***
44 ***the application The Falls at Rivers Edge Homeowners Association, Inc., regarding Apple***
45 ***Blossom Drive, Fountain Way & Stillwater Drive (Tax Map 44, Lot 19, Plots 100-5300), zoned***
46 ***R-3, PB2025-28-CUPA, for an amendment the Conditional Use Permit for the Falls at River's***
47 ***Edge development, originally approved on November 22, 1999, to remove condition of***
48 ***approval #12 requiring that all dwellings shall be sprinklered, including any and all***
49 ***submissions and testimony provided for and during the public hearing.***

1 ***In support of its decision, the Board finds that since the Conditional Use Permit for the Falls***
2 ***at River's Edge development was approved, changes in state law now render condition of***
3 ***approval #12 unenforceable. This approval is subject to the following conditions:***

4
5 ***General Conditions***

6 ***1. Condition of Approval #12 as set forth in the Notice of Action dated November 22, 1999,***
7 ***approving a Conditional Use Permit for a 57-lot cluster subdivision known as the Falls at***
8 ***River's Edge is hereby removed. All other conditions of approval therein shall remain in full***
9 ***force and effect.***

10 ***2. A copy of this Notice of Action shall be signed by the Planning Board Chair and shall be***
11 ***recorded in the Grafton County Registry of Deeds in accordance with the Planning &***
12 ***Development Department's recording procedures.***

13
14 ***The MOTION was seconded by Kellen Appleton.***

15
16 ****The MOTION was approved (5-0).***

17
18 **C. Brady Sullivan Prospect Hill, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned**
19 **R-3: Request to amend the approved plans for Phase 2 of Prospect Hill development**
20 **to (a) adjust the grading plan for Phase 2B, (b) per Section 7.13.F of the Subdivision**
21 **Regulations, amend the approved phasing plan to accelerate the timeline for the**
22 **completion of Phases 2C and 2E and to extend the time to achieve active and**
23 **substantial development of Phase 2B which is required to be completed by**
24 **November 15, 2025, pursuant to the phasing plan approved on December 13, 2021**
25 **(PB2021-37-FMAJA), and (c) approve a proposed off-site hauling plan for the**
26 **removal of excess material excavated from the site during the course of**
27 **construction. PB2025-23-FMAJA - Postponed from May 12, 2025**

28
29 [At 6:55pm, Mr. Stacy joined the meeting. Ms. Romano rejoined the meeting. Ms. Appleton
30 recused themselves from the discussion because they are a tenant abutter.]

31
32 Mr. Corwin said the application is complete enough for the Board to accept jurisdiction and
33 commence review.

34
35 ***A MOTION was made by Richard Ford Burley that the application of Brady Sullivan Prospect***
36 ***Hill PB2025-23-FMAJA is complete enough to accept jurisdiction and commence review. The***
37 ***MOTION was seconded by Kathie Romano.***

38
39 ****The MOTION was approved (6-0).***

40
41 Chair Faunce noted that he, Mr. Stacy, and Ms. Romano attended a site walk for this project on
42 Tuesday, May 27 at 5pm. He said a quorum of the Board was not achieved and no decisions
43 were discussed or made during the visit.

44
45 Mr. Jon Rokeh, PE, (Rokeh Consulting LLC), and Attorney Marc Pinard (Brady Sullivan
46 General Counsel) were present on behalf of the applicant. Mr. Rokeh said the applicant is
47 requesting amendments to several conditions of approval in order to speed up the completion of
48 the project.

He said Phase 2A is complete and the gravity sewer and all utilities available to do Phase 2E and Phase 2C and Phase 2 E basically immediately. He said they could build all those multi-family homes now. He said that work was originally planned for later in Phase 2B, which they would be just starting now.

He said they are requesting a waiver from Section 14.4.C which requires that applicants can only apply for 50% of the building permits for a given phase until the infrastructure is complete. He said if they had the building permits for the entire phase all at once, they would be able to put all the foundations and be able to complete everything much more efficiently.

He said another waiver they are requesting is regarding the slope at the rear of the buildings. He said the current plans were approved with a 3:1 slope, but he said they would like to use the material that is produced during construction on the site. He said if they are able to use the material, they will have a 2:1 slope ratio. The group discussed the slope of the yards behind the homes at length. Mr. Rokeh said if they are able to reuse the material produced during construction on the site, it will reduce the number of trips that the trucks need to make to haul the material away from the site.

Mr. Rokeh outlined the haul route, which identified Twin State Gravel and, possibly, the Densmore Brickyard project site, as deposit sites for the material. Ms. Romano noted the low overpass on Glen Road may present a problem for trucks. The group discussed complaints from residents on Elm Street West regarding truck traffic. Ms. Romano noted that the proposed haul route has not been published before this meeting and residents did not

know it was going to be discussed at this meeting. She said they may have comments about it and may not have known to come to this meeting to discuss it. Mr. Rokeh said if the waivers they are requesting are approved, hauling won't begin for about eight months, so there will be time to notify residents about the route.

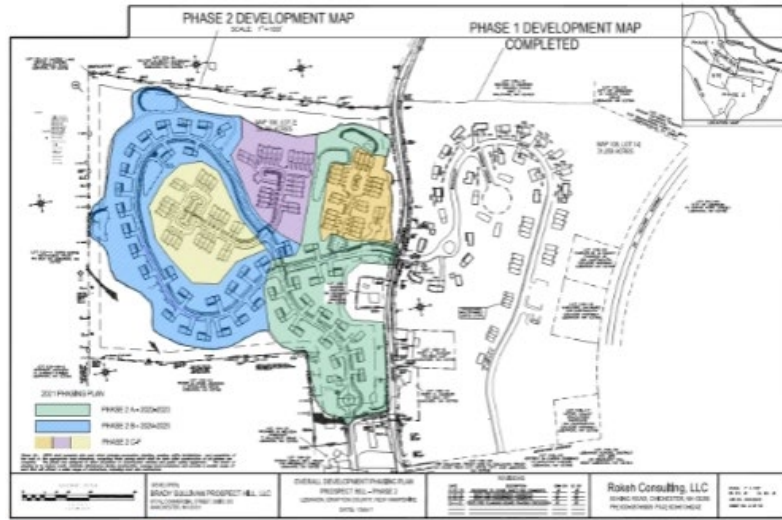


Figure 1: **Phase 2A** (constructed): Green; **Phase 2C**: Yellow; **Phase 2E**: Light Purple; **Phase 2B**: Blue; **Phase 2F**: Outer edge of blue area

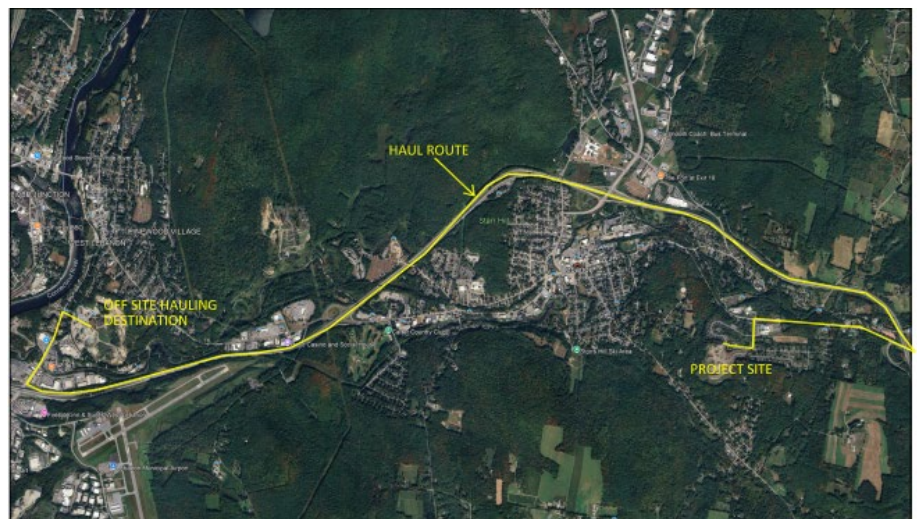


Figure 2

1 The group discussed times of the day that the trucks would be hauling material and asked for
2 consideration of the school day (both for traffic/safety concerns and for noise concerns),
3 especially if the Densmore Brickyard site is used for dumping. Dr. Ford Burley suggested the
4 final decision on the haul routes be made at a later date, when more finalized information is
5 provided to the Board. Mr. Vincent said this project's haul amounts are greater than the typical
6 project.

7
8 The group discussed the team's plans to stabilize the steep slopes in the project. Mr. Rokeh said
9 the slope will be a 2-foot-thick ledge, which Mr. Vincent said should be stable unless they are
10 built on silt or sand subsoils.

11
12 Mr. Rokeh reviewed the Phasing Plan. Mr. Corwin explained that the restriction to 50% for the
13 building permits in each phase ensures that the infrastructure gets completed before developers
14 can begin selling lots to future homeowners.

15
16 Chair Faunce opened the public comment portion of the meeting.

17
18 Mr. Warren Klecan (abutter) said this project does not seem to get the care and concern from the
19 City that other projects seem to get. He said the residents in the area are requesting the following
20 considerations during the construction of this project:

- 21 • 7AM to 3PM workday Monday-Friday hauling from site (no work on weekends)
- 22 • Limit the number of trucks hauling material each day
- 23 • Enforce a 15-mph speed limit
- 24 • Employ dust control measures
- 25 • Enforce trucks to use covers to manage spillage

26
27 Dr. Ford Burley estimated about 14 trucks per day would be used to haul the remaining material
28 at the site, based on the information provided by the applicant.

29
30 Ms. Melissa Robinson (abutter) made the following comments:

- 31 • barrier gate (to protect cars coming in and out and going down Hillcrest St) is not in current
32 plans – She said neighbors previously fought hard for a gate to be included but it is missing
33 from plans. She said she was told the gate is not going to be installed until the whole project
34 is completed
- 35 • The bike path that runs near the site is being used by cars at high rates of speed.
- 36 • Shorten or improve the hauling time
- 37 • Dust is a constant problem. She said the siding and her windows of her house are covered.
- 38 • The trucks are dangerous and children in the neighborhood are not safe

39
40 Chair Faunce asked if the Hillcrest barrier gate could be added back to the plans. Mr. Rokeh said
41 they would consider it, depending on why it was removed. Chair Faunce said a condition of
42 approval can be added that the gate will be added back, contingent upon the reason it was
43 removed. Mr. Corwin said staff would look into the gate and whether signage or markings could
44 be added to the bike path.

45
46 Mr. David Kuhn (neighbor) said

- 47 • The bike path really is just a wider piece of road and needs proper markings and signage to
48 notify users it is a bike path.

- The trucks are going down Moulton Ave during school drop-off and pick-up and it is not a safe situation for kids.

Mr. Rory Gawler (abutter) made the following comments:

- Noise produced by the trucks is disturbing.
- Every truck that leaves the site is a truck that will later enter the site. He said the truck trips are actually double what is being discussed. He said “truck trips” should also include the water truck that goes by to control the dust.
- Reverse alarms on trucks are loud. He said he asked the site supervisor to have trucks run forward only.
- He said he does not understand why the applicant does not use the road owned by the developer (Hemlock Ridge Dr) that runs parallel to Prospect Street.
- He said he was told last May by the Fire Chief that blasting operations would last five weeks. He said they lasted into late fall, and resumed in the spring. He said the drilling of the blast holes is also loud and disturbing.

Ms. Kellen Appleton (abutter) said there is a lack of trust on the part of the residents because the plan for blasting and trucking timelines have not been communicated very well. She suggested that the Board make a condition of approval that the applicant should communicate in writing with abutters/tenants regarding the truck routes and times and when blasting will happen. Chair Faunce suggested that the construction trailer at the site could be a location for an information kiosk. Mr. Rokeh said the construction foreman is open to having an email list of residents to notify them of when blasting is going to happen.

The group discussed whether a condition of approval could be added that prohibits truckloads until an approved plan has been established. Mr. Rokeh said trucks must be used to continue construction of the project. Mr. Gawler asked if the trucks doing the large-scale hauling could be limited. He also asked if the City prohibits the use of air brakes (“jake brake”) and asked they not be used on Moulton Ave. Mr. Rokeh said if the Board grants the applicant’s waiver requests, the number of trucks will be reduced.

Mr. Corwin suggested that the Board address the following at tonight’s meeting:

- The updated phasing requested by the applicant
- Building permit waiver request
- Grading waiver request
- Add a condition of approval that puts a moratorium on the trucks hauling material for a certain amount of time

Dr. Ford Burley suggested the following language:

- Trucks hauling material shall be limited to ten a day.
- Before June 14th, 2025 and after August 26th 2025, they shall not pass in front of the Lebanon Middle School between the hours of 6:45am and 8:15am and between the hours of 1:45pm and 3:15pm.
- At no time shall they use their Jake Brakes (engine brakes) while on Prospect St., Molten Ave. or Laplante Rd.
- All trucks hauling material shall have and make use of their covers.
- No hauling during weekends
- Hauling limited to the hours between 7:00am and 4:00pm on weekdays.

He also suggested that the blasting schedule be approved no later than by the Planning Board's August meeting so it can be enforced in time for the start of the school year.

Chair Faunce closed the public comment portion of the meeting.

Mr. Corwin noted that a waiver is not required from Section 13.11.A.

A MOTION was made by Richard Ford Burley that, for the application of Brady Sullivan Prospect Hill regarding PB2025-23-FMAJA, the Lebanon Planning Board approves waivers for the following sections of the Subdivision Regulations:

- ***Section 13.10.A – A minimum of four (4) inches of topsoil shall be provided to cover all finished slopes***
- ***Section 14.4.C – No building permit(s) shall be issued for the final fifty percent (50%) of lots or units in the subdivision until all improvements required by the Board, including, but not limited to, wastewater, water, power, streets and sidewalks, have been fully completed by the applicant and inspected and approved by the City.***

The MOTION was seconded by Eric Stacy.

****The MOTION was approved (6-0).***

A MOTION was made by Richard Ford Burley that the Lebanon Planning Board approves the application of Brady Sullivan Prospect Hill, LLC, regarding 10 Prospect Street (Tax Map 108, Lot 2), zoned R-3, PB2025-23-FMAJA, for Site Plan approval to amend the approved plans for Phase 2 of Prospect Hill development to (a) adjust the grading plan for Phase 2B, (b) per Section 7.13.F of the Subdivision Regulations, amend the approved phasing plan to accelerate the timeline for the completion of Phases 2C and 2E and to extend the time to achieve active and substantial development of Phase 2B which is required to be completed by November 15, 2025, pursuant to the phasing plan approved on December 13, 2021 (PB2021-37-FMAJA), and (c) approve a proposed off-site hauling plan for the removal of excess material excavated from the site during the course of construction, as set forth in the application materials and including any and all submissions and testimony provided for and during the public hearing.

This approval is subject to the following conditions:

- 1. The applicant shall comply with all applicable conditions of the Planning Board's Notice of Action dated November 14, 2016 (PB2016-22-EXT-FMAJ) and the Notice of Action dated December 13, 2021 (PB2021-02-EXT & PB2023-37-FMAJA) and all conditions of approval thereof except as superseded by the conditions below.***
- 2. The prior approved phasing plan shall remain in effect except that a) construction of phases may proceed simultaneously and b) active and substantial development of Phase 2B shall be achieved by no later than November 15, 2026.***
- 3. Within 30 days of this approval, the applicant shall update all Subdivision Agreements, Security Agreements, and other documents, as necessary, to reflect the dates of the extended and phased approval (per Section 14.1.B.1.c of the Subdivision Regulations).***
- 4. Within 30 days of this approval and prior to the issuance of any permits, the applicant shall, pursuant to Sections 7.10 and 14.5 of the Subdivision Regulations, enter into a new***

1 *Performance Security Agreement and provide security necessary for the completion of all*
 2 *Phase 2B, 2C, 2D, and 2F required improvements and utilities.*

3 *5. Prior to the issuance of any building permits, the applicant shall update the project's*
 4 *Alteration of Terrain Permit with NHDES.*

5 *6. Within 30 days of this approval and prior to the issuance of any building permits, the*
 6 *applicant shall, to the satisfaction of the Planning & Development Department and the City*
 7 *Engineer, provide a complete, updated plan set incorporating the plan sheets submitted with*
 8 *this application and making any other revisions necessary pursuant to the approved changes.*

9 *7. The specifications and plans for the rock slopes shall, to the satisfaction of City Engineer,*
 10 *state the fill and slope requirements as set forth in Section 13.10 and 13.11 of the Subdivision*
 11 *Regulations so that the contractor is contractually obligated to perform the work in*
 12 *accordance with those specifications, plans and regulations.*

13 *8. The third-party inspection required pursuant to condition of approval #5 set forth in the*
 14 *Notice of Action dated November 14, 2016 (PB2016-22-EXT-FMAJ) shall include periodic*
 15 *inspection of the rock slopes ensure their construction in conformance with Section 13.10 and*
 16 *13.11 of the Subdivision Regulations.*

17 *9. Within 14 days of this approval, the applicant shall provide a construction schedule to the*
 18 *City Engineer in order to secure a third-party inspector pursuant to condition of approval #8*
 19 *above and condition of approval #5 set forth in the Notice of Action dated November 14, 2016*
 20 *(PB2016-22-EXT-FMAJ).*

21 *10. No unit may sold in any phase until all site improvements within that phase are completed*
 22 *to the same degree as required for the issuance of a certificate of occupancy per Section*
 23 *14.4.A.*

24 *11. Fencing shall be installed at the top of each slope in excess of 3H to 1V, that are to be*
 25 *rock-lined, and shall be a minimum height of 4 vertical feet above ground surface. Fencing*
 26 *shall be chain-link with PVC coating to the satisfaction of the Planning & Development*
 27 *Department.*

28 *12. Until such time as a full hauling plan is approved by the Planning Board, trucks hauling*
 29 *material shall be limited to 10 a day and hauling shall commence no earlier than 7 am and*
 30 *shall conclude by no later than 4 pm, Monday through Friday. No hauling shall be permitted*
 31 *on the weekends. Additionally, before June 14, 2025 and after August 26, 2025, trucks shall*
 32 *not pass in front of the Lebanon Middle School between the hours of 7:00 am and 8:15 am,*
 33 *and between the hours of 1:45 pm and 3:15pm. At no time shall such trucks use engine brakes*
 34 *while on Prospect St., Moulton Ave., or LaPlante Rd. All trucks hauling material shall have*
 35 *and make use of their covers. Such full hauling plan shall be submitted for review and*
 36 *approval by the Planning Board at the August 2025 regular meeting.*

37
 38 *The MOTION was seconded by Eric Stacy.*

39
 40 **The MOTION was approved (6-0).*

41
 42
 43 Ms. Appleton rejoined the meeting.

44
 45 At 8:37pm, Chair Faunce called for a recess.

46 At 8:47pm, the meeting resumed.

47
 48 **D. Michael Davidson, 3 Campbell Street (Tax Map 92, Lot 65), zoned LD: Appeal of an**
 49 **administrative determination that the conversion of a mixed-use building with an**

1 office and 4 dwelling units to a 7-unit multi-family dwelling requires Site Plan
2 review by the Planning Board per Sections 3.1.C.1 and 3.1.D of the Site Plan Review
3 Regulations. Alternatively, applicant requests a waiver per Section 7.1 to waive the
4 requirement to obtain Site Plan approval. PB2025-24-AAD - Postponed from May
5 12, 2025
6

7 Mr. Corwin said the application is complete enough for the Board to accept jurisdiction and
8 commence review.
9

10 *A MOTION was made by Richard Ford Burley that, application PB2025-24-AAD Michael*
11 *Davidson, 3 Campbell Street (Tax Map 92, Lot 65) zoned LD, with regard to the appeal of an*
12 *administrative determination that the conversion of a mixed-use building with an office and 4*
13 *dwelling units to a 7-unit multi-family dwelling requires Site Plan review by the Planning*
14 *Board per Sections 3.1.C.1 and 3.1.D of the Site Plan Review Regulations, is complete enough*
15 *to accept jurisdiction and commence review. The MOTION was seconded by Kathie Romano.*
16

17 **The MOTION was approved (7-0).*
18

19 Attorney Brian Bouchard and Mr. Tim Sidore were present on behalf of the applicant.
20

21 Mr. Bouchard explained that the City issued an emergency notice to vacate an apartment
22 building located at 3 Campbell St. in January 2025. He said the decision was based on two
23 issues:

- 24 • a heating issue
- 25 • one of the windows in one unit was not adequately sized for emergency egress and ingress.
26

27 He said Mr. Davidson was able to fix the heating issue and he has since been trying to change the
28 window, but he can't change the window because the City maintains that the property is not in
29 compliance. He said Mr. Davidson still hasn't changed the window because he cannot get a
30 building permit from the City. He said the underlying issue is that Mr. Davidson renovated office
31 space into living space within the building, and, although he made no exterior or site changes,
32 the City considers the changes land development under the Site Plan Review Regulations and
33 requires Site Plan approval. He said if the changes are considered land development, it is the type
34 of land development that only requires minor site plan review and not the full site plan review.
35 He said Section 7.1 of the Site Plan Review Regulations say that the City can grant a waiver for
36 any of the requirements of the Site Plan Review Regulations that are not imposed by state law.
37

38 The group discussed how the applicant may have interpreted the Site Plan Review Regulations
39 language. Ms. Romano noted that the office space was converted to living space, and it is not
40 right if no site plan review is done for that living space. Mr. Bouchard said the use of the space
41 has not changed because the building had continued to be used as residential space (in addition to
42 the previous office use). Mr. Bouchard suggested the City waive the requirement and determine
43 that the project requires only minor site plan review.
44

45 *A MOTION was made by Richard Ford Burley that the Planning Board finds that, as written,*
46 *Section 3.1.C.1 of the Site Plan Review Regulations can reasonably be interpreted to mean*
47 *that the conversion of two office units to three residential units within the context of 3*
48 *Campbell St. is a land development that may be handled by the Minor Site Plan Committee.*
49 *The MOTION was seconded by Andrew Faunce.*

Chair Faunce opened the public comment portion of the meeting.

Mr. Nate Reichert (Director of Planning & Development and Zoning Official for the City of Lebanon) read the text of Section 307.5 Dwelling Unit Density of the Zoning Ordinance:

“Density determinations from multi-family dwellings and mixed-use buildings shall be made by the Planning Board during the course of site plan review based on site specific conditions and factors, such as the availability of parking and or availability to provide required parking, availability of adequate water, sewer and ability to provide required site improvements and to meet all of the requirements of the site plan review regulations and all other applicable City regulations.”

He noted that the Planning Board has the authority to determine density, and from density comes the number of apartments (based on the number of parking spaces available) and EV charging requirements. He described the team members included in the Minor Site Plan Committee and noted that he is the Chair of the committee. Dr. Ford Burley said he could add to the motion he had just made that the Planning Board finds that the added density is appropriate to the site.

Mr. Sidore said the applicant has applied for a building permit and to the Heritage Commission to install what is considered the proper window. He said the applicant would like permission to now be able to re-enter the apartment, address the window issue, and reoccupy the apartment while the questions related to the site plan and seek minor site plan review are being resolved. Ms. Romano noted that the applicant needs approval for the unit before it can be rented. Mr. Corwin said he was not sure it is within the Board's jurisdiction to resolve the issues Mr. Sidore noted. He said the Board can make its decision to help provide a path forward.

Chair Faunce closed the public comment portion of the meeting.

A MOTION was made by Richard Ford Burley the Planning Board finds that, as written Section 3.1.C.1 of the Site Plan Review Regulations can reasonably be interpreted to mean that the conversion of two office units to three residential units within the context of 3 Campbell St. is a land development that may be handled by the Minor Site Plan Committee. The Planning Board further finds that the added density related to the specific change in question is reasonable for the zoning of the lot.

The MOTION was seconded by Andrew Faunce.

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

A MOTION was made by Kellen Appleton to extend the meeting to 10:00pm. The MOTION was seconded by Richard Ford Burley.

****The MOTION was approved (6-0).***

E. XYZ Dairy, LLC & Lyme Properties 2, LLC, River Park Drive (Tax Map 44, Lots 21 - 30 & 7), zoned CB, IND-L and R-3: Applicant requests a two (2)-year extension of the River Park Site Plan approval (PB2010-25-SPR), as most recently amended

1 **on September 9, 2019 (PB2018-34-SPA). PB2025-25-EXT - Postponed from May 12,**
2 **2025**

3
4 Ms. Romano recused herself from the discussion of this item.

5
6 Chair Faunce said because this request for extension follows a March 17, 2025 ruling on the
7 same matter, the applicant has the burden to present some new material fact or change in
8 circumstance that the majority of the Board determines by vote to be sufficient to open a new
9 hearing on the same request.

10
11 He gave a brief history of the extension request. He said on March 17, 2025, the Lebanon
12 Planning Board granted a one-year extension of all deadlines that applied to the River Park
13 project. The Superior Court's decision to grant 11 months and two days of injunctive relief was
14 both the necessary new material fact cited by the Board to justify its rehearing of that 2024
15 extension request and the basis of its decision for approval of a one-year extension of all phases,
16 restoring the originally agreed upon amounts of time for all phases of the project.

17
18 He said the majority of the Board perceived no case had been made by the applicant to support a
19 two-year extension. The Condition of Approval in the September 9, 2019 Notice of Action,
20 which is a foundational agreement of record for the project, is that an updated phasing schedule
21 shall be provided with any extension request. He said, while the applicant did not provide an
22 updated phasing schedule in its most recent extension request, the Board expedited its March 17,
23 2025 decision by making the subsequent submission of that schedule within 30 days of
24 Condition of Approval. He said, in doing so, the Board relaxed a requirement of that 2019
25 governing agreement to be applicant's benefit. He said, while notified of the Board's decision in
26 the customary fashion, the applicant did not provide the requested information, effectively
27 voiding that one-year extension that the Board had approved.

28
29 Chair Faunce said, additionally, the applicant did not file an appeal within the allowable 30-day
30 period, which provided the opportunity to contest the Board's decision on its merits. He said, for
31 tonight, the first decision of the Board is whether the applicant has offered a new material fact or
32 change in circumstances to warrant a rehearing of the previously settled matter.

33
34 He said the Board is first determining whether it is holding a hearing, by virtue of holding a
35 limited public hearing to determine what new material fact or change in circumstance and that is
36 through an interaction with the applicant to ask questions in order to learn more about materials
37 that the applicant has provided for our consideration.

38
39 Attorney Robert Taylor and Mr. David Clem (XYZ Dairy) were present on behalf of the
40 applicant.

41
42 Chair Faunce noted that the applicant has submitted a large amount of information since the last
43 time they attended a Planning Board meeting. Chair Faunce asked if the applicant was presenting
44 as a new material fact that they have added tortious interference and civil conspiracy to the legal
45 filing for the courts consideration in 2026, and, in preparation for tonight's hearing, that the
46 applicant has presented a series of City staff emails and the applicant's interpretation of their
47 intent as evidence to support those claims.

48
49 Attorney Taylor said Mr. Clem had submitted a letter to Staff, but Attorney Taylor said he

proposed to present some new information that justifies reconsideration of the two-year extension request and not was proposing to go back through Mr. Clem's letter or amendments.

Attorney Taylor made three points as to why the extension should be granted. See Figure 3.

Attorney Taylor urged the Planning Board not to listen to City Staff and to grant the applicant's extension request.

Attorney Taylor said if he goes into court on appealing Planning Board decisions, they'll be set aside and every single one of them over the last year will be voided. He said the applicant has suffered as a result of it. He said if the Board had independent counsel, it would have been different.

CONCLUSIONS

1. Mr. Clem's letter of 23 May 2025 to the PB, and the evidence submitted with it, proves that the PB "staff" are severely biased against the Project – hence the need for reconsideration of the PB's recent decisions against XYZ without their involvement.
2. The Building Inspector's 30 May 2025 Attempt to Terminate the XYZ Permit is a misconstruction of the Building Permit, the Building Code, and NH Law that will take time to correct – hence the need for the 2-year extension.
3. The Planning Board's improper reliance on conflicted attorneys, and the PB Chair's bias and improper *ex parte* communications with City Officials, have tainted the PB's prior decisions against XYZ – hence the need for those those decisions to be reconsidered by impartial members only, with help from independent counsel.

Figure 3: Points made by Attorney Robert Taylor, attorney for XYZ Dairy

A MOTION was made by Richard Ford Burley to extend the meeting to 10:15pm. The MOTION was seconded by Eric Stacy.

****The MOTION was approved (6-0).***

Chair Faunce recused himself from the rest of the discussion for this request.

Dr. Ford Burley said he was not comfortable going forward with any further discussion of this information until the Board has a chance to talk to independent counsel.

A MOTION was made by Richard Ford Burley to continue the discussion of the public hearing for XYZ Dairy, LLC & Lyme Properties 2, LLC, River Park Drive (Tax Map 44, Lots 21 - 30 & 7), zoned CB, IND-L and R-3: Applicant requests a two (2)-year extension of the River Park Site Plan approval (PB2010-25-SPR), as most recently amended on September 9, 2019 (PB2018-34-SPA). PB2025-25-EXT - Postponed from May 12, 2025, to a future meeting.

The Board members discussed whether it should make a decision at this meeting or postpone this discussion to a future meeting.

Attorney Decker said he did not agree that he was in conflict in this situation. He said that assertion requires further analysis and legal advice, whether that is from him or from independent counsel.

Attorney Decker made the following limited recommendation:
He said none of the three items that were raised tonight were previewed to anyone. He said there was no reason the Board had to be ambushed tonight; the material could have been submitted

1 earlier. He suggested to the Board that the reason for that was to intimidate the Board into taking
2 unconsidered action. He said his recommendation is that the Board continue this matter to
3 another hearing. He suggested Chair Faunce not recuse himself until he's had more opportunity
4 to consider the situation. He noted that the Board is not prepared to address any of this ambush
5 information tonight, none of which actually addresses the subsequent application doctrine, which
6 was what the Board was expecting.

7
8 Mr. Stacy read a prepared written statement in favor of granting a new hearing to consider the
9 requested extension.

10
11 ***A MOTION was made by Richard Ford Burley to continue the discussion of XYZ Dairy, LLC***
12 ***& Lyme Properties 2, LLC, River Park Drive (Tax Map 44, Lots 21 - 30 & 7), zoned CB, IND-***
13 ***L and R-3: Applicant requests a two (2)-year extension of the River Park Site Plan approval***
14 ***(PB2010-25-SPR), as most recently amended on September 9, 2019 (PB2018-34-SPA).***
15 ***PB2025-25-EXT - Postponed from May 12, 2025 to the July 14, 2025 Planning Board***
16 ***meeting. The MOTION was seconded by .***

17
18 ****The MOTION was approved (4-1)***
19 ***(Voting in Favor: Ford Burley, Zook, Appleton, Kennelly)***
20 ***(Voting Against: Stacy)***

21
22 Chair Faunce and Ms. Romano rejoined the meeting.

23
24 **F. LRX 1 Martin Drive, LLC, 1 Martin Drive (Tax Map 129, Lot 19), zoned GC:**
25 **Request for Site Plan Review to replace an existing +/- 3,393 sq. ft. building with a**
26 **new +/- 3,683 sq. ft. building to be used as a car wash, together with associated site**
27 **improvements including stormwater management, landscaping and lighting.**
28 **PB2025-21-SPR - Continued from May 12, 2025**

29
30
31 ***A MOTION was made by Richard Ford Burley to extend the meeting to 10:30pm. The***
32 ***MOTION was seconded by Kathie Romano.***

33
34 ****The MOTION was approved (7-0).***

35
36
37 Mr. Jeff Merritt and Mr. Brent Cole (Granite Engineering), and Renee Costa (owner), were
38 present on behalf of the applicant. Mr. Merritt gave an overview of the project. He said the
39 existing rear building on the car wash will be demolished and rebuilt into a new building with
40 four car wash bays and a detail bay. He reviewed the waivers that the applicant is requesting.

41
42
43 ***A MOTION was made by Richard Ford Burley to extend the meeting to 10:45pm. The***
44 ***MOTION was seconded by Eric Stacy.***

45
46 ****The MOTION was approved (7-0).***

47
48
49 Chair Faunce asked whether signage or pavement markings would be added to aid traffic flow in

1 and out of the car wash. Mr. Merritt said they could do that very easily. He noted that the traffic
2 flow lane will accommodate cars turning left to get into wash bay 1, even though it is a fairly
3 tight turn.

4
5 Chair Faunce opened the public comment portion of the meeting. No one from the public spoke.
6 Chair Faunce closed the public comment portion of the meeting.

7
8 Mr. Corwin confirmed that a waiver was not needed from Section 6.2.B – perimeter landscaping
9 requirements.

10
11 ***A MOTION was made by Richard Ford Burley that, for the application of LRX 1 Martin***
12 ***Drive, LLC, PB2025-21-SPR, the Lebanon Planning Board approves partial waivers from the***
13 ***following sections of the Site Plan Review Regulations:***

- 14 • ***Section 6.2.B – perimeter landscaping requirements***
- 15 • ***Section 6.2.D – landscaping around buildings requirements***
- 16 • ***Article V submission requirements and Article VI design requirements as applicable***
17 ***outside of the designated development area***
- 18 • ***Section 5.1.E.16 – landscaping plan requirements***
- 19 • ***Section 6.2.E.2 – requiring landscape beds at the end of parking rows***
- 20 • ***Section 6.5.D.5 – requiring construction of a sidewalk along the property's frontage***

21
22 ***The MOTION was seconded by Kellen Appleton.***

23
24 ****The MOTION was approved (7-0).***

25
26
27 ***A MOTION was made by Kellen Appleton that the Lebanon Planning Board approves the***
28 ***application of LRX 1 Martin Drive, LLC, regarding 1 Martin Drive (Tax Map 129, Lot 19),***
29 ***zoned GC, PB2025-21-SPR, for Site Plan approval to replace an existing +/-3,393 sq. ft.***
30 ***building with a new +/- 3,683 sq. ft. building to be used as a car wash, together with associated***
31 ***site improvements including stormwater management, landscaping and lighting as shown on a***
32 ***plan set titled “Lady Rich Express Carwash, LLC,” prepared by Granite Engineering, dated***
33 ***April 14, 2025, revised May 28, 2025, Project No. 24-0702-1, including any and all***
34 ***submissions and testimony provided for and during the public hearing.***

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

40
41 ***This approval is subject to the following conditions:***

42
43 ***General Conditions***

44 ***1. This approval shall automatically expire and be deemed void upon failure to meet any of the***
45 ***conditions of approval set forth herein within the timeframes specified. It shall be the***
46 ***applicant's responsibility to be familiar with and aware of these conditions of approval, and it***
47 ***shall be the applicant's responsibility to satisfy these conditions of approval and to satisfy***
48 ***them within the relevant timeframes outlined below.***

2. *The development is subject to the Site Plan Review Regulations adopted May 13, 1991, last revised March 24, 2025, and the Zoning Ordinance adopted January 16, 2013, last amended March 19, 2025, which are the regulations in effect at the time the application was submitted.*
3. *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.*
4. *“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.*
5. *“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.*
6. *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.*
7. *The applicant shall implement and maintain NHDES Site Specific Best Management Practices before, during, and after construction.*
8. *Prior to the start of any construction activities on the property, erosion control measures, including edge-of-disturbance fencing if applicable, 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.*
9. *The property owner is responsible for the maintenance and operation of the stormwater management system in accord 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).*
10. *All service areas and facilities including garbage and waste disposal containers, recycling bins, electrical and mechanical equipment such as transformers and compressors, meter clusters, and other utility elements must be screened in accordance with Section 6.2.B.8 and Section 6.10.B.5 of the Site Plan Review Regulations.*

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

11. *Within 45 days of the Planning Board’s approval, 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) *Redistribute 4 of the trees on the east side of the site to the north side.*

- b) *Amend the cover sheet to provide description of plan revisions. (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.

12. *The applicant shall provide a letter or certification from the engineer or record or other qualified design professional confirming that the approved plan set meets the accessibility standards of the State of New Hampshire Building Code.*

13. *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.*

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

4 **15. The applicant shall apply for an Excavation Permit, Driveway Permit, and/or Stormwater**
 5 **Permit, if required by the Department of Public Works.**

6
 7 **Conditions to be Satisfied Prior to the Issuance of a Building Permit**

8 **16. Prior to the start of any construction activities on the property, the applicant shall record**
 9 **in the Grafton County Registry of Deeds notice of the stormwater management and erosion**
 10 **and sediment control plans as required per Section 6.6.H.2.d of the Site Plan Review**
 11 **Regulations. Such notice shall be reviewed by the Planning & Development Department prior**
 12 **to recording.**

13 **17. Prior to the start of any construction activities on the property for which construction**
 14 **inspection is required pursuant to this decision or any applicable ordinance or code, the City**
 15 **shall retain the services of an independent third-party inspector, for which the applicant shall**
 16 **be responsible for all inspection fees related to (a) on-site work related to sewer, water,**
 17 **temporary sedimentation and erosion control, and drainage improvements, and (b) all off-site**
 18 **work within the City's right-of-way (including but not limited to water, sewer, driveways,**
 19 **drainage), in accordance with Section 8.2 of the Site Plan Review Regulations. The applicant**
 20 **shall provide funding for inspection services in a form and amount acceptable to the City and**
 21 **shall sign an Infrastructure Inspection Agreement.**

22 **18. Pursuant to Section 213 of the Zoning Ordinance and the Impact Fee Schedule adopted**
 23 **on May 20, 2024, the development shall be subject to City of Lebanon impact fees. The**
 24 **applicant shall provide a completed Impact Fee Invoice/Acknowledgment form with the**
 25 **building permit application.**

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

27 **20. The applicant shall obtain an Excavation Permit, Driveway Permit, and/or Stormwater**
 28 **Permit, if required by the Department of Public Works.**

29 **21. Prior to the start of any construction activities on the property, the applicant shall obtain**
 30 **or update (if appropriate) any required Federal or State approvals.**

31
 32 **Conditions to be Satisfied Prior to the Issuance of a Certificate of Occupancy**

33 **22. The impact fee calculated pursuant to Condition of Approval #17 shall be paid.**

34 **23. Third-party engineer or design engineer inspection reports and as-built drawings provided**
 35 **by the applicants (PDF format and CAD .dwg format, using the NH State Plane Coordinate**
 36 **System), including tie sheets, shall be reviewed and approved by the City Engineer.**

37 **24. All improvements depicted on the plan shall be completed, and shall be constructed as**
 38 **depicted on the approved plan, including any modifications to the plan as may be approved by**
 39 **the Planning Board in accordance with the Site Plan Review Regulations.**

40
 41 **The MOTION was seconded by Richard Ford Burley.**

42
 43 ***The MOTION was approved (7-0).**

44
 45 **G. Alice Peck Day Memorial Hospital, 10 Alice Peck Day Drive (Tax Map 90, Lot 59),**
 46 **zoned R-3: Request for Site Plan review to a) install a +/-1,200 sq. ft. concrete pad on**
 47 **the east side of the existing hospital building and b) construct a proposed 58-space**
 48 **parking lot to serve the existing hospital use, together with associated site**
 49 **improvements. PB2025-29-SPR**

1
2 ***A MOTION was made by Richard Ford Burley to reschedule the public hearing for Alice Peck***
3 ***Day Memorial Hospital, PB2025-29-SPR to the June 23, 2025 Planning Board Work Session***
4 ***meeting. The MOTION was seconded by Eric Stacy.***

5
6 ****The MOTION was approved (7-0).***

7
8 **4. COMMITTEE REPORTS – none**

9
10 **5. OTHER BUSINESS – none**

11
12 **6. APPROVAL MINUTES – none**

13
14 **7. ADJOURNMENT**

15
16 ***A MOTION was made by Richard Ford Burley to adjourn the meeting at 10:43pm. The***
17 ***MOTION was seconded by Andrew Faunce.***

18
19 ****The MOTION was approved (7-0).***

20
21 The meeting adjourned at 10:43pm.

22
23 Respectfully submitted,
24 Paula Roux
25 Recording Secretary
26
27