LEBANON PLANNING BOARD
AUGUST 11, 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: 687 806 543#). If you have trouble accessing this meeting, please email Tim Corwin.

2. Notice of Regional Impact

3. Public Hearing Items

A. **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 - Continued from July 14, 2025**

B. **Marek North, LLC, 402 Mount Support Road (Tax Map 24, Lot 9), zoned R-1:** Applicant requests modifications to the phasing plan for a 204-unit multi-family complex, originally approved on February 14, 2022 (PB2021-33-SPR), reapproved on October 9, 2023 (PB2023-34-SPR), and further modified on July 7, 2025 (PB2024-29-SPA). **PB2025-38-SPA**

C. **Marek Lebanon, LLC, 343 Mount Support Road (Tax Map 24, Lot 1) & SPNH Mount Support, LLC, 0 Mount Support Road(Tax Map 24, Lot 1, Plot 100), zoned R-1 & RL-3:** Applicant requests a Boundary Line Adjustment to the existing lot lines and a Minor Subdivision of the subject properties into three (3) lots. **PB2025-39-BLAMIN**

D. **Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3**: Applicant requests approval of a hauling plan for the Prospect Hills Phase 2 development. Submission of the hauling plan is made pursuant to conditions of approval set forth in the Planning Board's June 9, 2025,Notice of Action for PB2025-23-FMAJA. **PB2025-40-SPA**

4. Other Business

A. **Development Regulations Subcommittee Report** - Discussion of Proposed Amendments to the Site Plan Review and Subdivision Regulations

5. Approval of Minutes

A. June 9, 2025

B. June 23, 2025

C. July 14, 2025

6. 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.

CITY OF LEBANON
APPLICATION FOR

SPECIAL EXCEPTION	☐	☒	SITE PLAN REVIEW
VARIANCE	☐	☐	SUBDIVISION
MOTION FOR REHEARING	☐	☐	LOT LINE ADJUSTMENT
APPEAL OF AN ADMIN. DECISION	☐	☐	CONDITIONAL USE PERMIT

☐ OTHER _____

PROPERTY OWNER (APPLICANT):

NAME: Marek North LLC [redacted]

MAILING ADDRESS [redacted]

E-MAIL ADDRESS: [redacted]

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Engineering Ventures, PC [redacted]

MAILING ADDRESS [redacted]

E-MAIL ADDRESS: [redacted]

PROJECT LOCATION:

TAX MAP #: 24 LOT#: 9 PLOT #: ZONE: R1

STREET ADDRESS OF PROJECT: 402 Mount Support Road

IS THIS PROPERTY LOCATED IN THE: **WETLANDS** ☒ YES ☐ NO **HISTORIC DISTRICT** ☐ YES ☒ NO

FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:

Modifications to approved phasing plan for PB2023-34-SPA

TYPE OF OCCUPANCY:

EXISTING ☐ VACANT ☐ ONE FAMILY ☐ TWO FAMILY ☒ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL

PROPOSED ☐ VACANT ☐ ONE FAMILY ☐ TWO FAMILY ☒ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL

IF USE IS **COMMERCIAL** OR **INDUSTRIAL**, PLEASE NOTE **SPECIFIC** USE: _____

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on August 11, 2025, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: Donald Smith DATE: July 9, 2025

NOTE: IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING AND SIGN BELOW: I hereby designate the person listed above as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.

PROPERTY OWNER: Donald Smith DATE: July 9, 2025

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	[redacted]		
7/9/2025	24-9	PB2025-38-SPA			

ENGINEERING VENTURES PC

208 Flynn Avenue, Suite 2A, Burlington, VT 05401 · 802-863-6225
85 Mechanic Street, Suite E2-3, Lebanon, NH 03766 · 603-442-9333
414 Union Street, Schenectady, NY 12305 · 518-630-9614

July 10, 2025

City of Lebanon Planning & Development Department
Attn: Tim Corwin, Senior Planner and Zoning Administrator
51 North Park St
Lebanon, NH 03766

RE: Site Plan Review Application
402 Mt Support Rd Residential Development
Tax Map 24 Lots 9

Dear Mr. Corwin,

On behalf of Saxon Partners, LLC (dba, Marek North, LLC), Engineering Ventures, PC (EV) is pleased to submit the enclosed application to amend a previously approved site plan for the Marek North residential development located at 402 Mt Support Road. The previous approvals are City of Lebanon file numbers PB2021-33-SPR, PB2023-34-SPA, and PB2024-29-SPA.

The extent of the revisions included in the application are changes to the project's construction schedule. The dates for "active and substantial development" and "substantial completion" are push back four (4) to seven (7) months from the previous approval. The phase boundaries and work contained in each phase remain unchanged. No other changes to the approved site plans are proposed at this time.

Construction began in July 2024, was paused in September 2024, restated in May 2025, and is currently progressing as anticipated.

Thank you for your time and consideration with this project. We look forward to reviewing this project with the City staff and the Lebanon Planning Board. In the meantime, please do not hesitate to call or email if you have any questions or need additional information.

Sincerely,
ENGINEERING VENTURES, PC

Nicholas A. Fiore, PE
Vice President

CC: Don Smith, Saxon Partners
Brenden Gilmore, Saxon Partners

Enc: Application Form
Certified Notification List
Fee Scheule
Sheet C0.3

CERTIFIED NOTIFICATION LIST

Notice shall be sent by certified mail to the Owner; Applicant, if different from Owner; Abutters; Holders of conservation, preservation, or agricultural preservation restrictions (as defined under RSA 477:45) on the subject property; the holders of easements, rights-of-way, and other restrictions; and every engineer, architect, land surveyor, or soil or wetlands scientist whose seal appears on any plan submitted to the Board; and any other persons required by RSA 676:4, I(d). The names and mailing addresses shall be furnished by the Applicant.

672:3 Abutter. – "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A:1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board.
Source. 1983, 447:1. 1986, 33:2. 2002, 216:1, eff. July 15, 2002.

PLEASE PROVIDE NAMES & MAILING ADDRESSES FOR ALL PERSONS LISTED ABOVE.

Map & Lot Number: 24-9	**Map & Lot Number:** 24-9
Property Owner: MAREK NORTH LLC 25 RECREATION PARK DR HINGHAM, MA 02043	Applicant, Co-Applicant, Agent, or Lessee: MAREK NORTH LLC 25 RECREATION PARK DR HINGHAM, MA 02043
Map & Lot Number: 24-2, 24-8	**Map & Lot Number:** 24-11
DARTMOUTH COLLEGE TRUSTEES PO BOX 5188 HANOVER, NH 03755	AUDUBON TIMBERWOOD LLC 535 BOYLSTON ST BOSTON, MA 02116
Map & Lot Number:	**Map & Lot Number:** 24-1-100
Engineering Ventures c/o Nicholas A. Fiore, PE 85 Mechanic St, Suite E2-3 Lebanon, NH	SPNH MOUNT SUPPORT, LLC 25 RECREATION PARK DR HINGHAM, MA 02043

FEE SCHEDULE
LEBANON PLANNING BOARD
Adopted January 24, 2022

LOT LINE ADJUSTMENT (Boundary Line Adjustment)

		TOTALS
FILING FEE	$25.00	$25.00
ADVERTISING FEE	$100	$100
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)
TOTAL DUE		$

MINOR SUBDIVISION

		TOTALS
FILING FEE	$150.00	$150.00
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)
TOTAL DUE AT TIME OF FILING		$

****Engineering Review fees may also be required. See note on page 2.**

PRELIMINARY REVIEW OF A MAJOR SUBDIVISION

		TOTALS
FILING FEE	$200.00	$200.00
NUMBER OF LOTS* _____	$30.00 per lot*	
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)
TOTAL DUE AT TIME OF FILING		$

Or units when the subdivision does not create individual lots.

****Engineering Review fees will also be required. See note on page 2.**

FINAL REVIEW OF A MAJOR SUBDIVISION

		TOTALS
FILING FEE	$500.00	$500.00
FIRST FIVE (5) LOTS*	$75.00 per lot*	
NUMBER OF LOTS 6+*	$150.00 per lot*	
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)
TOTAL DUE TIME OF FILING		$

Or units when the subdivision does not create individual lots.

****Engineering Review fees will also be required. See note on page 2.**

SITE PLAN REVIEW

		TOTALS
FILING FEE	$250.00	$250.00
SQUARE FOOTAGE	$75.00 per 1,000 sq. ft. (gross floor area)	
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)

SITE PLAN REVIEW

TOTAL DUE AT TIME OF FILING		$

****Engineering Review fees will also be required. See note on page 2.**

SITE PLAN REVIEW AMENDMENT (WITH STRUCTURAL CHANGES)

		TOTALS
FILING FEE	$250.00	$250.00
SQUARE FOOTAGE	$75.00 per 1,000 sq. ft. (gross floor area)	
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note below)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)
TOTAL DUE AT TIME OF FILING		$

****Engineering Review fees may also be required. See note below.**

OTHER

-SITE PLAN REVIEW AMENDMENT (WITH NO STRUCTURAL CHANGES)
-EXTENSION REQUESTS
-CONDITIONAL USE PERMITS

		TOTALS
FILING FEE	$250.00	$250.00
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note below)**	$5.00 + Current USPS rate per certified notice (see below) X 4 notices	$5.00 $ 22.16 (abutter certifieds)
TOTAL DUE AT TIME OF FILING		$ 377.16

****Engineering Review fees may also be required. See note below.**

MINOR SITE PLAN REVIEW

		TOTALS
FILING FEE	$150.00	$150.00
NOTIFICATION FEE **(see note below)**	Current USPS rate per certified notice (see below) X_____notices	$_____(abutter certifieds)
TOTAL DUE		$

ENGINEERING REVIEW FEES:

After an application to the Planning Board is submitted and the filing fees identified above have been paid, the Planning & Development Department will determine the scope of required engineering review and will obtain an estimated cost from the reviewing engineer. A cost estimate of the review fees will usually be generated within two (2) – three (3) business days. Once conveyed to the applicant, the estimated review fees shall be paid by the applicant within five (5) business days, and an escrow account shall be established by the Planning & Development Department. No plans will be reviewed unless and until the review fee estimate is paid, if required.

Please note that escrow fees are only an estimate of what services will cost and actual costs of review may be less or more than the amount initially estimated. Any unused portion of the escrow will be returned to the applicant at the end of the approval process if such a surplus remains. Additionally, in the event the escrow amount does not cover the full cost of services the Applicant shall pay any remaining costs as a condition of approval. See also Section 4.7 of the Site Plan Review Regulations and Section 7.7 of the Subdivision Regulations.

NOTIFICTION FEE: CURRENT FEE as of July 2024 is $5.54 per certified notice

THE CERTIFIED NOTIFICATION FEE IN ALL SECTIONS ABOVE INCLUDES THE FOLLOWING: ALL ABUTTERS, THE APPLICANT, PROPERTY OWNER, HOLDER OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTION(S); AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR OR SOIL SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD AND ANY OTHER PERSONS REQUIRED BY RSA 676:4, I(d).

PLOTTED: 7/9/2025 8:48 PM

PROJECT PHASING

2

PHASE 1 (AMENITY BUILDING, SOUTH ENTRANCE, SOUTH PARKING AND GRAVEL WETLANDS)

- CONSTRUCTION SCHEDULE
  - AUGUST 1, 2024 TO OCTOBER 31, 2026
  - START AND END DATES ARE ESTIMATES AND MAY VARY
- SECURE BUILDING PERMIT PRIOR TO DECEMBER 1, 2025
- MOBILIZE ON SITE, INSTALL CONSTRUCTION ENTRANCE
- BASE LAYOUT, FLAG FOR CLEARING AND WETLANDS DELINEATION
- INSTALL EROSION CONTROL MEASURES
- CLEAR AND GRUB WOODED AREAS
- ROUGH GRADE SITE
- CONSTRUCT FOLLOWING SITE IMPROVEMENTS:
  - MASS GRADING FOR SITE IMPROVEMENTS
  - INFRASTRUCTURE FOR SEWER, WATER, STORM DRAINAGE MAINS FOR ENTIRE SITE
  - WIRE UTILITIES (PHONE/CABLE/ELECTRIC) FEEDS TO THE SITE.
  - RETAINING WALLS
  - SELECT ROADWAY/PARKING GRAVELS
  - FENCING AND GUARD RAILS
  - AMENITY BUILDING (INCLUDES APPROX. 30 LF OF BUILDING 3 FOUNDATION)
  - SEWER, WATER, AND STORM DRAINAGE SERVICE CONNECTIONS TO AMENITY BUILDING.
  - WIRE UTILITIES (PHONE/CABLE/ELECTRIC) SERVICE CONNECTIONS TO AMENITY BUILDING.
  - SIDEWALKS AND PATIO ASSOCIATED WITH AMENITY BUILDING
  - PEDESTRIAN CONNECTIONS TO AND WITHIN PUBLIC R.O.W.
  - DUMPSTER PAD AND ENCLOSURE
  - BASE AND TOP COAT PAVING
  - SIGNAGE AND PAVEMENT MARKINGS
  - LANDSCAPING AND SITE LIGHTING WITHIN PHASE 1.
- PHASE 1 CONSTRUCTION SHALL ACHIEVE "ACTIVE AND SUBSTANTIAL DEVELOPMENT", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.A, BY APRIL 30, 2026.
- PHASE 1 CONSTRUCTION SHALL ACHIEVE "SUBSTANTIAL COMPLETION", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.B, BY OCTOBER 31, 2026.

PHASE 2 (BUILDING 2 AND ADJACENT SIDEWALKS)

- CONSTRUCTION SCHEDULE
  - AUGUST 1, 2024 TO OCTOBER 31, 2026
  - START AND END DATES ARE ESTIMATES AND MAY VARY
- SECURE BUILDING PERMIT PRIOR TO DECEMBER 1, 2025
- CONSTRUCT FOLLOWING SITE IMPROVEMENTS
  - BUILDING 2.
  - SEWER, WATER, AND STORM DRAINAGE SERVICE CONNECTIONS TO BUILDING 2.
  - WIRE UTILITIES (PHONE/CABLE/ELECTRIC) SERVICE CONNECTIONS TO BUILDING 2.
  - BUILDING 2 GARAGE DRIVEWAY.
  - SIDEWALKS ASSOCIATED WITH BUILDING 2.
  - LANDSCAPING AND SITE LIGHTING WITHIN PHASE 2.
- PHASE 2 CONSTRUCTION SHALL ACHIEVE "ACTIVE AND SUBSTANTIAL DEVELOPMENT", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.A, BY APRIL 30 2026.
- PHASE 2 CONSTRUCTION SHALL ACHIEVE "SUBSTANTIAL COMPLETION", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.B, BY OCTOBER 31, 2026.

PHASE 3 (BUILDING 1 AND NORTH PARKING)

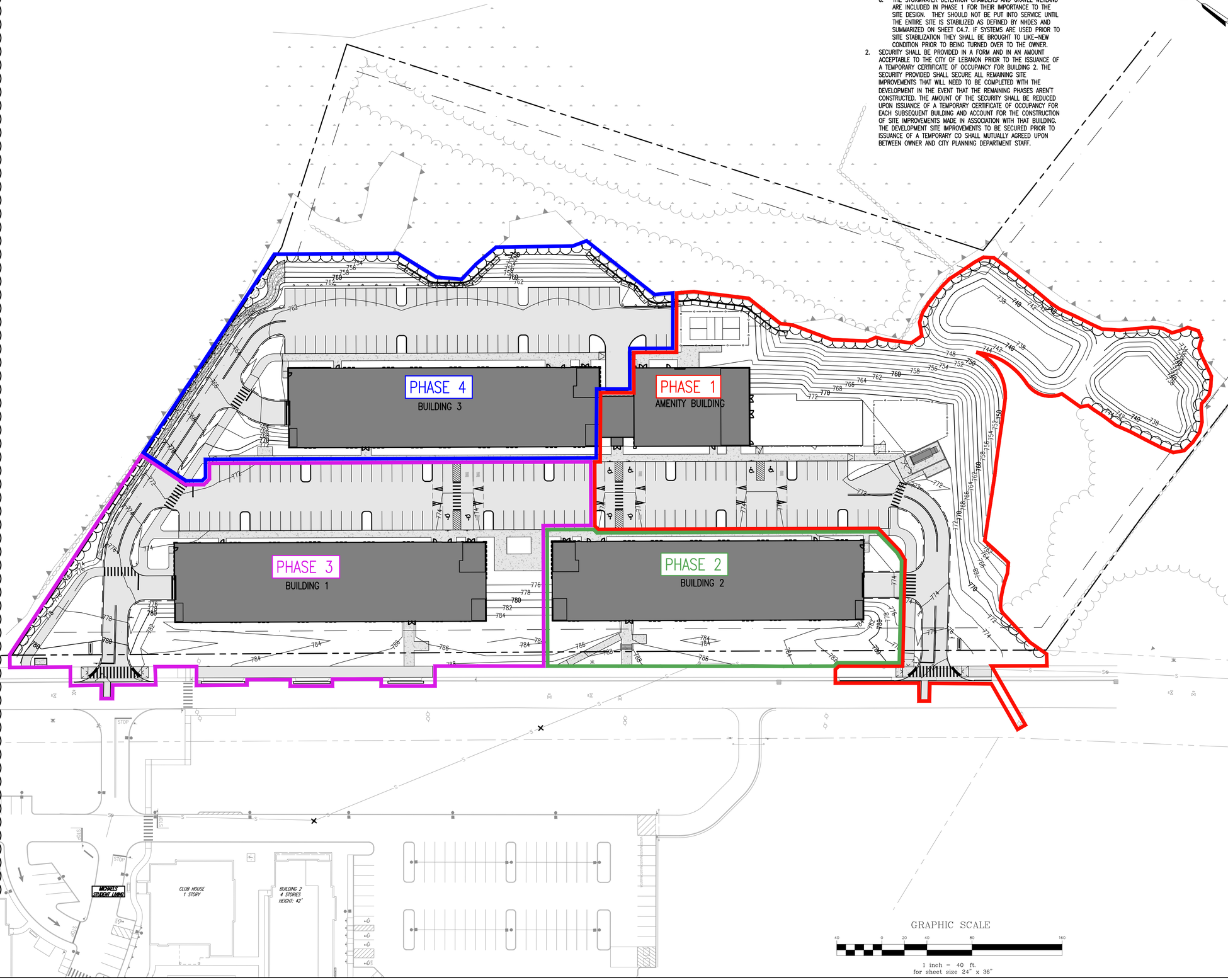
- CONSTRUCTION SCHEDULE
  - AUGUST 1, 2024 TO JANUARY 31, 2027
  - START AND END DATES ARE ESTIMATES AND MAY VARY
  - SOME ITEMS MAY BE COMPLETED AS PARTS OF EARLIER PHASES
- SECURE BUILDING PERMIT PRIOR TO DECEMBER 1, 2025
- CONSTRUCT FOLLOWING SITE IMPROVEMENTS
  - SELECTED ROADWAY/PARKING GRAVELS
  - BUILDING 1.
  - SEWER, WATER, AND STORM DRAINAGE SERVICE CONNECTIONS TO BUILDING 1.
  - WIRE UTILITIES (PHONE/CABLE/ELECTRIC) SERVICE CONNECTIONS TO BUILDING 1.
  - BUILDING 1 GARAGE DRIVEWAY.
  - SIDEWALKS ASSOCIATED WITH BUILDING 1.
  - PARKING WITHIN PHASE 3.
  - LANDSCAPING AND SITE LIGHTING WITHIN PHASE 3.
  - SITE FURNITURE AND AMENITIES.
  - NORTHERN SITE DRIVEWAY.
  - NORTHERN PEDESTRIAN CONNECTION TO PUBLIC R.O.W.
  - BASE AND TOP COAT PAVING.
  - SIGNAGE AND PAVEMENT MARKINGS.
- PHASE 3 CONSTRUCTION SHALL ACHIEVE "ACTIVE AND SUBSTANTIAL DEVELOPMENT", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.A, BY JULY 31, 2026.
- PHASE 3 CONSTRUCTION SHALL ACHIEVE "SUBSTANTIAL COMPLETION", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.B, BY JANUARY 31, 2027.

PHASE 4 (BUILDING 3, NORTH ENTRANCE AND EAST PARKING)

- CONSTRUCTION SCHEDULE
  - AUGUST 1, 2024 TO JUNE 30, 2027
  - START AND END DATES ARE ESTIMATES AND MAY VARY
- SECURE BUILDING PERMIT PRIOR TO DECEMBER 1, 2025
- CONSTRUCT FOLLOWING SITE IMPROVEMENTS
  - RETAINING WALLS
  - SELECTED ROADWAY/PARKING GRAVELS
  - FENCING AND GUARD RAILS
  - BUILDING 3
  - SEWER, WATER, AND STORM DRAINAGE SERVICE CONNECTIONS TO BUILDING 3.
  - WIRE UTILITIES (PHONE/CABLE/ELECTRIC) SERVICE CONNECTIONS TO BUILDING 3.
  - BUILDING 3 GARAGE DRIVEWAY.
  - SIDEWALKS ASSOCIATED WITH BUILDING 3.
  - PARKING WITHIN PHASE 4.
  - LANDSCAPING AND SITE LIGHTING WITHIN PHASE 4.
  - BASE AND TOP COAT PAVING.
  - SIGNAGE AND PAVEMENT MARKINGS.
- PHASE 4 CONSTRUCTION SHALL ACHIEVE "ACTIVE AND SUBSTANTIAL DEVELOPMENT", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.A, BY DECEMBER 31, 2026.
- PHASE 4 CONSTRUCTION SHALL ACHIEVE "SUBSTANTIAL COMPLETION", AS DEFINED BY LEBANON'S SITE PLAN REVIEW REGULATIONS SECTION 8.4.B, BY JUNE 30, 2027.

PHASING NOTES

1. ALL SITE IMPROVEMENTS WITHIN A PHASE SHALL BE COMPLETE PRIOR TO THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY FOR THE BUILDING WITHIN THAT PHASE, EXCEPT AS MAY OTHERWISE BE PERMITTED PURSUANT TO SECTION 8.3.A OF THE LEBANON SITE PLAN REVIEW REGULATIONS.
   a. THE STORMWATER DETENTION CHAMBERS AND GRAVEL WETLAND ARE INCLUDED IN PHASE 1 FOR THEIR IMPORTANCE TO THE SITE DESIGN. THEY SHOULD NOT BE PUT INTO SERVICE UNTIL THE ENTIRE SITE IS STABILIZED AS DEFINED BY NHDES AND SUMMARIZED ON SHEET C4.7. IF SYSTEMS ARE USED PRIOR TO SITE STABILIZATION THEY SHALL BE BROUGHT TO LIKE-NEW CONDITION PRIOR TO BEING TURNED OVER TO THE OWNER.
2. SECURITY SHALL BE PROVIDED IN A FORM AND IN AN AMOUNT ACCEPTABLE TO THE CITY OF LEBANON PRIOR TO THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY FOR BUILDING 2. THE SECURITY PROVIDED SHALL SECURE ALL REMAINING SITE IMPROVEMENTS THAT WILL NEED TO BE COMPLETED WITH THE DEVELOPMENT IN THE EVENT THAT THE REMAINING PHASES AREN'T CONSTRUCTED. THE AMOUNT OF THE SECURITY SHALL BE REDUCED UPON ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY FOR EACH SUBSEQUENT BUILDING AND ACCOUNT FOR THE CONSTRUCTION OF SITE IMPROVEMENTS MADE IN ASSOCIATION WITH THAT BUILDING. THE DEVELOPMENT SITE IMPROVEMENTS TO BE SECURED PRIOR TO ISSUANCE OF A TEMPORARY CO SHALL MUTUALLY AGREED UPON BETWEEN OWNER AND CITY PLANNING DEPARTMENT STAFF.



GRAPHIC SCALE

40 0 20 40 80 160

1 inch = 40 ft.
for sheet size 24" x 36"

Stamp

No.	Description	Date
1	ADDENDUM #1	07/19/2024
2	PHASING ADJUSTMENTS	07/10/2025

ENGINEERING VENTURES PC
208 Flynn Avenue, Suite 2A, Burlington, VT 05401 • 802-863-8225
85 Mechanic Street, Suite E2-3, Lebanon, NH 03766 • 603-442-9333
414 Union Street, Schenectady, NY 12305 • 518-630-9614
www.engineeringventures.com

SPNH LEBANON NORTH, LLC
c/o SAXON PARTNERS
25 RECREATION PARK DRIVE, SUITE 204
HINGHAM, MA 02043
781-875-3300

Sheet Title: PROJECT PHASING PLAN

Project Title: MAREK 2
392 & 402 MT SUPPORT ROAD
CITY OF LEBANON, GRAFTON COUNTY, NEW HAMPSHIRE

EV Project #	22715
Drawn By:	JWF
Checked By:	NAF
Scale:	1" = 40'
Date:	03/15/2024

C0.3

S:\PROJECTS\5-2022\22715 NH 402 MT SUPPORT, AVON\PWORK\SHEET FILES\22715 C0.3 PROJECT PHASING PLAN.DWG

PLANNING BOARD

August 11, 2025 Meeting

Staff Memorandum – PB2025-39-BLAMIN

APPLICATION INFORMATION

Agenda Item: 3.C

Application ID:
PB2025-39-BLAMIN

Application Type:
3-lot Minor Subdivision and Boundary Line Adjustment

Property Location & Map/Lot #:
- 343 Mount Support Rd (Tax Map 24, Lot 1)
- 0 Mount Support Rd (Tax Map 24, Lot 1, Plot 100)

Property Owners & Applicants:
Marek Lebanon, LLC & SPNH Mount Support, LLC

Property Size (existing):
- 343 Mount Support Rd: +/-17.7 acres *(per subdivision plat)*
- 0 Mount Support Rd: +/-57.8 acres *(per subdivision plat)*

Zoning District:
Residential One (R-1) and Rural Lands Three (RL-3)

Overlay District(s):
Wetlands Conservation District

LEGAL NOTICE

Marek Lebanon, LLC, 343 Mount Support Road (Tax Map 24, Lot 1) & SPNH Mount Support, LLC, 0 Mount Support Road (Tax Map 24, Lot 1, Plot 100), zoned R-1 & RL-3: Applicant requests a Boundary Line Adjustment to the existing lot lines and a Minor Subdivision of the subject properties into three (3) lots. PB2025-39-BLAMIN

APPLICATION MATERIALS

- Application form (1 page)
- Letter dated July 14, 2025, from Dave Fenstermacher, PE, of VHB (project description; 2 pages)
- Application for Waivers, dated July 14, 2025 (2 pages)
- Subdivision Regulations - Technical Checklist – Minor Subdivision (4 pages)*

  **Note that the form utilized here is an older version that contains several scrivener's errors including duplicative submission requirements. Staff has corrected the form and has posted the correct and up to date form to the City's website.*
- Certified Notification List (2 pages)
- Fee Schedule (2 pages)
- Plan sheet titled, "Subdivision Plan, Map 24, Lots 1 & 1-100," by Vanasse Hangen Brustlin, Inc. (VHB), dated June 4, 2025, Project Number 52616.00 (colorized exhibit showing existing conditions)
- Plan sheet titled, "Subdivision Plan, Map 24, Lots 1 & 1-100," by Vanasse Hangen Brustlin, Inc. (VHB), dated June 4, 2025, Project Number 52616.00 (colorized exhibit showing proposed conditions)
- Plan sheet titled, "Subdivision Plan, Map 24, Lots 1 & 1-100," by Vanasse Hangen Brustlin, Inc. (VHB), dated June 4, 2025, Project Number 52616.00 (subdivision & boundary line adjustment plat)

COMPLETENESS REVIEW

The Planning and Development Department has reviewed the application in accordance with Section 7.7.C.3.a of the Lebanon Subdivision Regulations and recommends that the Board find that the application is complete enough to accept jurisdiction and to commence review.

APPLICATION OVERVIEW

The subject properties -- located on the west side of Mount Support Road across from the Timberwood residential development located on the east side of Mount Support Road -- were created pursuant to a Minor Subdivision of the +/-75-acre 343 Mount Support Road property, which was approved by the Planning Board on December 13, 2021 (PB2021-36-MIN):

- 343 Mount Support Road, Tax Map 24, Lot 1, is a +/-17.7 acre lot located within the Residential One (R-1) District, is owned by Marek Lebanon, LLC, and is improved with the 250-unit Marek multi-family residential development, which was originally approved by the Planning Board on October 13, 2020 (PB2020-11-SPR). 343 Mount Support Road also includes an unused gravel area with a curb cut onto Mount Support Road, the existence of which preceded approval of the Marek development.

- 0 Mount Support Road, Tax Map 24, Lot 1, Plot 100, is a +/-57.8 acre lot located within the Residential One (R-1) District and Rural Lands Three (RL-3) District, is owned by SPNH Mount Support, LLC, and is currently vacant.

The applicants (which are related entities and are both managed by Saxon Partners, the developer of the Marek), propose to reconfigure the lot lines between the two existing lots and to create a new third lot as follows:

- Lot 24-1 (improved with The Marek development): +/-19.4 (an increase of +/-1.7 acres);

- Lot 24-1-100 (vacant): +/-50.3 acres (a decrease of +/-7.5 acres); and

- *Proposed* Lot 24-1-200 (vacant with a gravel lot and an existing curb cut/driveway access to Mount Support Road): +/-5.8 acres. The proposed new lot is roughly outlined in red in Figure 1 below.

To help illustrate the proposal, the applicants have provided two colorized versions of the Subdivision Plat, one of which shows existing conditions and the other of which shows proposed conditions.

The proposed boundary line adjustment and subdivision will have no impact on the access to the existing lots. The new lot is currently accessed via an existing curb cut onto Mount Support and will be served by City water and sewer.

WAIVER REQUESTS

As set forth on the attached Application for Waivers, the applicant requests a partial waiver of Section 9.5.A.7 of the Subdivision Regulations which requires the subdivision plat to depict existing site features (i.e., Minor Subdivision plans shall include, “The location of all existing structures, easements, permanent and intermittent watercourses, flood plains and wetlands, rock outcrops, wooded areas, and other significant existing features on the property.”) For reasons described in the Application for Waivers, the applicant has requested a waiver from depicting the full extent of the wetlands located on the properties.

Per Section 7.15, the Board must find that an applicant’s request for a waiver (which must be made in writing) satisfies one or both of the following criteria:

A. Strict conformity would pose an unnecessary hardship to the Applicant and waiver would not be contrary to the spirit and intent of the regulations; or

B. Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.

Staff has no objection except that the full delineation of the wetlands on the proposed new lot (24-1-200) should be shown on the plat (currently the delineation is obscured by the labels). It is important to see the full delineation to understand what the buildable area of the lot is (and also to verify that there is a buildable area that won't necessarily require wetland impacts).

Figure 1. Bird's eye view of proposed new lot, 24-1-200 (*looking west)*.

©2025 Eagleview (image taken 4/24/2025)

STAFF COMMENTS

ASSESSING
No comment at this time.

BUILDING INSPECTION
No comment at this time.

ENGINEERING / PUBLIC WORKS
No comment at this time.

FIRE
No comment at this time.

PLANNING & ZONING:
Lot 24-1, improved with a 250-unit multi-family development, will continue to comply with the minimum lot width, lot area, setback, and dwelling density requirements for Class 1 lots* in the R-1 District, as set forth in Section 308.2 of the Zoning Ordinance. New lot 24-1-100 and existing Lot 24-1-100 as reconfigured will also meet applicable lot width and lot area requirements.

**A class 1 lot is a property that is served by City sewer and water.*

The new lot may be utilized for any use allowed in the R-1 District. *See* the R-1 District Table of Use, Section 308.2 of the Zoning Ordinance.

POLICE
No comment at this time.

STAFF RECOMMENDATIONS

If the Board moves to approve this application, then based on the information reviewed by City staff, the Planning and Development Department recommends that the Board approve the application with the following conditions:

General Conditions

1. This approval shall be considered void unless all conditions precedent have been met, and the plat has been 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. Future development on the new lot (Tax Map 24, Lot 1-200) shall be subject to 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, and such fees shall be due and payable at the time of issuance of a Certificate of Occupancy. In accordance with RSA 674:39, development shall be exempt from any future changes in impact fees and methodology for five years from the date of approval; however, any building permits which are issued after the end of that five-year period shall be fully subject to whatever impact fees and methodology are in effect at the time of building permit issuance.

3. All future construction shall substantially conform with and shall be subject to the requirements and specifications of the recorded plat (Section 7.9.A.2).

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

4. Obtain addresses for Lots 24-1-100 and 200 in accordance with applicable City of Lebanon procedures.

5. The applicants shall provide a revised plat depicting the following changes to the satisfaction of the Planning and Development Department:
    a. Add a note that any new or relocated driveway will require a Driveway Permit from the Department of Public Works.
    b. Add lot addresses.

c. Add a note that the gravel lot on Tax Map 24, Lot 1, Plot 200 shall not be deemed a legal non-conformity from a use or dimensional standpoint and shall not be the basis for seeking any waivers from the Site Plan Review Regulations in connection with any future development.
d. Depict full delineation of the wetlands on Tax Map 24, Lot 1, Plot 200.
e. Add Planning Board application number to the title block (PB2025-39-BLAMIN).
f. Provide the date and description of the plat revisions. (9.5.A.1)

6. The applicants shall provide a digital record drawing of the revised plat (Cad .dwg format using NH State Plane Coordinate system or an alternative approved by the City's GIS Coordinator).

7. 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.

8. The applicants shall submit two (2) mylars of the approved plat, as revised pursuant to these conditions of approval, together with applicable recording fees to the Planning & Development Department in accordance with Planning & Development Department recording procedures. (8.1.D & 7.11)

9. 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.

Attachments

cc: Marek Lebanon, LLC (via e-mail)
SPNH Mount Support, LLC (via e-mail)
David Fenstermacher, PE, VHB (via e-mail)
File

CITY OF LEBANON
APPLICATION FOR

SPECIAL EXCEPTION	☐	☐	SITE PLAN REVIEW
VARIANCE	☐	☒	SUBDIVISION
MOTION FOR REHEARING	☐	☒	LOT LINE ADJUSTMENT
APPEAL OF AN ADMIN. DECISION	☐	☐	CONDITIONAL USE PERMIT

☐ OTHER _____

PROPERTY OWNER (APPLICANT):

NAME: SPNH Mt Support, LLC [redacted]

MAILING ADDRESS: [redacted]

E-MAIL ADDRESS: [redacted]

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Marek Lebanon LLC [redacted]

MAILING ADDRESS: [redacted]

E-MAIL ADDRESS: [redacted]

PROJECT LOCATION:

TAX MAP #: 24 LOT#: 1, 1-100 PLOT #: ZONE: R-1 and RL-3

STREET ADDRESS OF PROJECT: 343 Mt. Support Road and 0 Mt. Support Road

IS THIS PROPERTY LOCATED IN THE: **WETLANDS** ☒ YES ☐ NO **HISTORIC DISTRICT** ☐ YES ☒ NO

FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:

The Co-applicants, SPNH Mount Support, LLC and Marek Lebanon, LLC, are proposing to adjust the existing lot lines and subdivide Tax Map 24, Lot 1 and Lot 1-100, located at 343 Mt. Support Road and 0 Mt. Support Road respectively, into three conforming lots. The sites consist of 75.5 acres in total, currently occupied by a 250-unit multi-family development on Map 24, Lot 1 (343 Mt. Support Road).

TYPE OF OCCUPANCY:

EXISTING ☐ VACANT ☐ ONE FAMILY ☐ TWO FAMILY ☒ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL

PROPOSED ☐ VACANT ☐ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL

IF USE IS **COMMERCIAL** OR **INDUSTRIAL**, PLEASE NOTE **SPECIFIC** USE: _____

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on _____, 20____, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: Donald Smith DATE: July 10, 2025

NOTE: IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING AND SIGN BELOW: I hereby designate the person listed above as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.

PROPERTY OWNER: _____ DATE: _____

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	[redacted]		
0/14/2025	24-1 & 24-1-100	PB2025-39-BLAMIN			

www.vhb.com

July 14, 2025

Ref: 52616.00

Mr. Nathan Reichert
51 N Park Street
City Hall, 1st Floor
Lebanon, NH 03766

Re: The Marek at Lebanon
343 Mt. Support Road
Narrative for Site Plan Review

Mr. Reichert,

In support of the Minor Subdivision and Lot Line Adjustment Application, the following provides a summary for the proposal.

Summary

The Co-applicants, SPNH Mount Support, LLC and Marek Lebanon, LLC, are proposing to adjust the existing lot lines and subdivide Tax Map 24, Lot 1 and Lot 1-100, located at 343 Mt. Support Road and 0 Mt. Support Road respectively, into three conforming lots. The sites consist of 75.5 acres in total, currently occupied by a 250-unit multi-family development on Map 24, Lot 1 (343 Mt. Support Road). The revised property lines associated with the subdivision do not result in a modification of the dimensional setbacks for the existing building. As such, it is our understanding that a Site Plan Amendment is not required.

Subdivision

As noted above, the 75.5-acre site, consisting of Lot 1 (17.7 ac) and Lot 1-100 (57.8 ac), will have their lot lines adjusted and subdivided to create a third lot. A summary of the proposed lots is below.

Zoning Regulation	***Required***	***Provided Lot 1***	***Provided Lot 1-100***	***Provided Proposed Lot 1-200***	***Total***
Minimum Lot Area	10,000 SF	19.35 ac	50.31 ac	5.80 ac	75.5 ac

Engineers | Scientists | Planners | Designers

2 Bedford Farms Drive
Suite 200
Bedford, New Hampshire 03110
P 603.391.3900
F 603.518.7495

Lot 1 has been sized to provide the minimum required area to support the 250 units provided, per the Town's regulations (Residential One – R1):

Dwelling Units Density Calculation	***Number of Units***	***Area Required***	***Area Provided***
10,000 SF first 2 Units	2	20,000 SF	--
3,000 SF per Additional Units	248	744,000 SF	--
Total	250	764,000 (17.5 ac)	842,873 (19.35 ac)

Site Improvements

The proposed subdivision does not result in any impact on any of the following items reviewed and approved as part of the initial Site Plan Permit:

- Site Access
- Wetlands
- Stormwater Management
- Utilities

City of Lebanon, New Hampshire
APPLICATION FOR WAIVERS

Office Use Only	Date Received: _____	File No.: _____

PROJECT INFORMATION

Name of Applicant: SPNH Mt Support, LLC and Marek Lebanon LLC

Project Name: Minor Subdivision

Project Address: 0 and 343 Mt. Support Road, Lebanon NH

WAIVER REGULATIONS

In order to grant a Waiver from a requirement of the City of Lebanon Site Plan Review or Subdivision Regulations, the Planning Board must find that the Waiver is justified under one of the following criteria (*See Article VII of the Site Plan Review Regulations and Section 7.15 of the Subdivision Regulations*)**:**

Criteria A. Strict conformity would pose an unnecessary hardship to the Applicant and waiver would not be contrary to the spirit and intent of the regulations;

OR

Criteria B. Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.

WAIVER REQUEST(S)

I (we) hereby request a Waiver from:

[You can respond in the space provided, or attach a separate statement. Please be prepared to address each request during your public hearing. You must show that you have justified granting the Waiver(s).]

1. Section 9.5.A(7) of the (*circle one*) **Site Plan Review / Subdivision Regulations.** A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

   The site encompasses nearly 75 acres. The plan provided depicts the existing structures and relevant wetlands on the property, a waiver for depicting all existing wetlands and rock outcrops would meet the spirit of the regulations.

2. Section ___ of the (*circle one*) **Site Plan Review / Subdivision Regulations.** A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

3. Section ___ of the (*circle one*) **Site Plan Review / Subdivision Regulations**. A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

_____

_____

_____

4. Section ___ of the (*circle one*) **Site Plan Review / Subdivision Regulations**. A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

_____

_____

_____

5. Section ___ of the (*circle one*) **Site Plan Review / Subdivision Regulations**. A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

_____

_____

_____

6. Section ___ of the (*circle one*) **Site Plan Review / Subdivision Regulations**. A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

_____

_____

_____

7. Section ___ of the (*circle one*) **Site Plan Review / Subdivision Regulations**. A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

_____

_____

_____

8. Section ___ of the (*circle one*) **Site Plan Review / Subdivision Regulations**. A Waiver of this Section meets (*circle one*) **Criteria A / Criteria B** because _____

_____

_____

_____

SIGNATURE

I (we) hereby submit this application to the Planning Board and attest that to the best of my (our) knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As the applicant or as the agent of the applicant, I attest that I am duly authorized to act in this capacity.

Signature of Applicant: _____ Date: July 14, 2025

CITY OF LEBANON, NH SUBDIVISION REGULATIONS – TECHNICAL CHECKLIST MINOR SUBDIVISION	
PROJECT NAME: The Marek Phase 2 - 0 and 343 Mt. Support Road, Lebanon NH	
APPLICANT: SPNH Mt Support, LLC **Co-Applicant:** Marek Lebanon LLC	**DATE:** July 7, 2025
GENERAL SUBMISSION REQUIREMENTS:	

All applications to the Planning Board for Subdivision Review must be submitted by 12:00 Noon on the day of the filing cutoff. [§7.7.C] **Submissions must be accompanied by the following information or review of the application may be delayed:**

- ☒ A properly completed and signed Application Form. [§7.7.A(1)]
- ☒ The appropriate filing fees. [§7.7.A(2)]
- ☒ A written project description. [§7.7.A(3)]
- ☒ A list of the names and mailing addresses of all persons to be notified, by certified mail, of the public hearing. [§7.7.A(4)]
- ☒ A completed and signed Technical Checklist. [§7.7.B]
  [Applicants must complete the entire checklist to ensure that all necessary information and materials have been provided with the application or that written requests for waivers have been properly provided in accordance with Section 7.15 of the Subdivision Regulations, as appropriate.]
- ☒ One (1) set of project plans to be distributed for Staff Review. [§9.5.A]
  [A Staff Review meeting is held at City Hall one (1) week following the cutoff date. Staff Review meetings begin at 2:00PM, unless otherwise noted. All revised and/or additional information or materials must be submitted within one (1) week following the Staff Review meeting.]
- ☒ A digital copy of Subdivision plan in .PDF format. [§9.5.B]

NOTE: Applications shall contain sufficient information to enable the City Staff and the Planning Board to evaluate the proposed development for compliance with the Zoning Ordinance, the Planning Board's Regulations, and other applicable City Codes, and for the Planning Board to make an informed decision.

All required application materials shall be submitted as a single inclusive package, including any appropriate waiver requests as permitted by the Regulations. Submission of a complete application package ensures that the review process by City Staff is as efficient and effective as possible.

The purpose of the filing deadline is to provide adequate time for City review of the proposal. Submission of any altered, additional, or substitute application materials required by the Regulations, subsequent to the filing deadline, other than as directed by City Staff, shall cause the application to be deemed untimely filed, and such application shall not be heard until a subsequent month.

PLAN SUBMITTAL TECHNICAL CHECKLIST:

NOTE: Minor Subdivision plans shall include the information described below pursuant to Section 9 of the Lebanon Subdivision Regulations. Plans shall be submitted on sheets no larger than 24" x 36". Plan sets with multiple sheets shall include sheets of uniform size and be bound on the left edge. When more than three (3) sheets are required, an additional cover sheet shall be attached including a table of contents. The scale of the plans shall be appropriate to the size of the overall development. All lettering shall be of a size and type that is legible.

In order to facilitate the use of the City's Geographic Information System (GIS) for planning purposes, all surveys and engineered plans submitted for Subdivision Review shall utilize the NH State Plane Coordinate system and shall reference the North American Vertical Datum of 1988 (NAVD 88), unless prior approval to use an alternate coordinate system and/or vertical datum is granted by the Planning Office.

A written request for waiver shall be required, pursuant to Section 7.15 of the Subdivision Regulations, for any submission requirement for which the information or data is not provided by the applicant. [§9.5.C(5)]

Plan Requirements	**Info. Provided**	**Waiver Sought**
9.5.A(1) - - Name of the City and County in which the subdivision is proposed; - A Locus map; - North arrow; - Scale of the plat; - Date of the plat and of any revisions to the plat shall be shown on the first page or cover page, if applicable; (NOTE: The date on the plat at the time of initial submission for application review shall be included on all subsequent submissions to the City. Any subsequent change(s) to the plat shall include a revision date and description of the revision(s).)	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐
9.5.A(2) - Names and mailing addresses of Applicant(s); Owner(s) of Record of subject properties; Owners of abutting properties, including tax map and lot references; and Holders of any easements, rights-of-way, or other restrictions.	☒	☐
9.5.A(3) - Names and business addresses of the surveyor, including license number and seal, and of every engineer, architect, soil scientist, or wetlands scientist whose professional seal appears on any plan or document submitted to the Board.	☒	☐
9.5.A(4) - Zoning District in which the subdivision is located, including district boundaries if in more than one district.	☒	☐
9.5.A(5) - Boundary lines of the overall tract, and each of the proposed lots, including bearings and distances as determined by an actual field survey by a licensed land surveyor, including the date of the completion of the survey. All dimensions shall be shown in feet and decimals. Monuments shall be referenced on the plat as required under Section 13.5(A) of the Regulations.	☒	☐
9.5.A(6) - The area of all proposed lots shall be shown in square feet and acres.	☒	☐

Plan Requirements	**Info. Provided**	**Waiver Sought**	
9.5.A(1) - - Name of the City and County in which the subdivision is proposed; - A Locus map; - North arrow; - Scale of the plat; - Date of the plat and of any revisions to the plat shall be shown on the first page or cover page, if applicable; (NOTE: The date on the plat at the time of initial submission for application review shall be included on all subsequent submissions to the City. Any subsequent change(s) to the plat shall include a revision date and description of the revision(s).)	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	
9.5.A(2) - Names and mailing addresses of Applicant(s); Owner(s) of Record of subject properties; Owners of abutting properties, including tax map and lot references; and Holders of any easements, rights-of-way, or other restrictions.	☒	☐	
9.5.A(3) - Names and business addresses of the surveyor, including license number and seal, and of every engineer, architect, soil scientist, or wetlands scientist whose professional seal appears on any plan or document submitted to the Board.	☒	☐	
9.5.A(4) - Zoning District in which the subdivision is located, including district boundaries if in more than one district.	☒	☐	
Plan Requirements *(cont.)*	**Info. Provided**	**Waiver Sought**	
9.5.A(7) - Location of all existing structures, easements, permanent and intermittent watercourses, flood plains and wetlands, rock outcrops, wooded areas, and other significant existing features on the property. Indicate those natural and man-made features to be removed, retained, or altered. Wetlands on the property, if any, shall be delineated by a NH Certified Wetlands Scientist, whose seal and signature shall appear on the plat.	☒	☐	
9.5.A(8) - If the application covers only a part of the applicant's entire holding, a map of the entire tract shall be drawn at a scale of not smaller than 1" = 400', showing all existing streets and an outline of the platted area.	☐	☐	N/A
9.4 - A statement shall be placed on the plat as follows: "A parcel of land which has been reviewed and approved as part of a minor subdivision shall not be eligible for further subdivision review under the Minor Subdivision procedures for a period of three (3) years from the date of the minor subdivision approval."	☒	☐	
Supporting Documents and Information, Where Applicable	**Info. Provided**	**Not Applicable**	
9.5.C(1) - Proposed covenants or deed restrictions as may be intended to apply to the property in whole or in part to be recorded in the Registry of Deeds.	☐	☐	N/A

CITY OF LEBANON, NH
SUBDIVISION REGULATIONS - TECHNICAL CHECKLIST
MINOR SUBDIVISION

Plan Requirements	**Info. Provided**	**Waiver Sought**	
9.5.A(1) - - Name of the City and County in which the subdivision is proposed; - A Locus map; - North arrow; - Scale of the plat; - Date of the plat and of any revisions to the plat shall be shown on the first page or cover page, if applicable; (NOTE: The date on the plat at the time of initial submission for application review shall be included on all subsequent submissions to the City. Any subsequent change(s) to the plat shall include a revision date and description of the revision(s).)	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	
9.5.A(2) - Names and mailing addresses of Applicant(s); Owner(s) of Record of subject properties; Owners of abutting properties, including tax map and lot references; and Holders of any easements, rights-of-way, or other restrictions.	☒	☐	
9.5.A(3) - Names and business addresses of the surveyor, including license number and seal, and of every engineer, architect, soil scientist, or wetlands scientist whose professional seal appears on any plan or document submitted to the Board.	☒	☐	
9.5.A(4) - Zoning District in which the subdivision is located, including district boundaries if in more than one district.	☒	☐	
9.5.C(2) - Where private individual wastewater systems are proposed, the applicant shall perform soil tests complying with requirements of Section 13.4 of the Regulations. For all proposed lots less than 5 acres in size, the applicant shall have a soil investigation made and a report prepared to establish the existence of at least 4,000 square feet of contiguous area meeting NHDES requirements. NHDES approval of all subdivision lots less than 5 acres in size shall be obtained and provided to the Board prior to the recording of the approved plat. Soil maps and information shall be in accordance with the most current USDA Natural Resource Conservation Service County Soil Maps. Maps prepared by field investigation shall be stamped and signed by a Certified Soil Scientist.	☐	☐	N/A
9.5.C(3) - Any access driveway to a State highway shall be approved by the NHDOT and provided to the Board prior to the recording of the approved plat.	☐	☐	N/A
9.5.C(4) - Approvals, as prescribed by law, from any other City agency which may have jurisdiction, including but not limited to, wetland permits.	☒	☐	

NOTE: THE APPLICANT IS RESPONSIBLE FOR PROVIDING THE REQUIRED INFORMATION PURSUANT TO SECTION 9 OF THE SUBDIVISION REGULATIONS. PLEASE BE AWARE THAT THIS CHECKLIST IS FOR INFORMATION AND GUIDANCE ONLY AND DOES NOT REPRESENT THE LAW DICTATING SUBMITTAL REQUIREMENTS NOR IS IT COMPLETE AND INCLUSIVE THEREOF.

Completed By: _____

Planning office Use Only:

Date Received___/___/___ Checklist Complete YES or NO Checked by:_____

CERTIFIED NOTIFICATION LIST

Notice shall be sent by certified mail to the Owner; Applicant, if different from Owner; Abutters; Holders of conservation, preservation, or agricultural preservation restrictions (as defined under RSA 477:45) on the subject property; the holders of easements, rights-of-way, and other restrictions; and every engineer, architect, land surveyor, or soil or wetlands scientist whose seal appears on any plan submitted to the Board; and any other persons required by RSA 676:4, I(d). The names and mailing addresses shall be furnished by the Applicant.

672:3 Abutter. – "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A:1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board.
Source. 1983, 447:1. 1986, 33:2. 2002, 216:1, eff. July 15, 2002.

PLEASE PROVIDE NAMES & MAILING ADDRESSES FOR ALL PERSONS LISTED ABOVE.

Map & Lot Number: 24-1-100 (Owner)	**Map & Lot Number:** 24-1
Property Owner: SPNH MOUNT SUPPORT, LLC 25 RECREATION PARK DR, SUITE 204 HINGHAM, MA 02043	Applicant, Co-Applicant, Agent, or Lessee: MAREK LEBANON LLC 25 RECREATION PARK DR HINGHAM, MA 02043
Map & Lot Number: 24-4, 24-2, 76-10	**Map & Lot Number:** 24-11
DARTMOUTH COLLEGE TRUSTEES PO BOX 5188 HANOVER, NH 03755	AUDUBON TIMBERWOOD LLC 535 BOYLSTON ST BOSTON, MA 02116
Map & Lot Number: 48-11	**Map & Lot Number:** 24-9
LEBANON QUARRY HILL LLC PO BOX 1051 NORWICH, VT 05055	MAREK NORTH LLC 25 RECREATION PARK DR HINGHAM, MA 02043

Map & Lot Number: Wetland Scientist	**Map & Lot Number:** Engineer
VHB C/O Jacob Tinus, CWS 2 Bedford Farms Dr, Suite 200 Bedford, NH, 03110	VHB C/O Dave Fenstermacher, PE 2 Bedford Farms Dr, Suite 200 Bedford, NH, 03110
Map & Lot Number: Surveyor	**Map & Lot Number:**
VHB C/O Mike Hammer 2 Bedford Farms Dr, Suite 200 Bedford, NH, 03110	
Map & Lot Number:	**Map & Lot Number:**
Map & Lot Number:	**Map & Lot Number:**
Map & Lot Number:	**Map & Lot Number:**
Map & Lot Number:	**Map & Lot Number:**
Map & Lot Number:	**Map & Lot Number:**

(Revised 2/8/2024)

FEE SCHEDULE
LEBANON PLANNING BOARD
Adopted January 24, 2022

*Per conversation with Tim Corwin on 7/8/2025, fees for minor subdivision will cover both application requests.

LOT LINE ADJUSTMENT (Boundary Line Adjustment)*

		TOTALS
FILING FEE	$25.00	$25.00
ADVERTISING FEE	$100	$100
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 + $5.54 $_____(abutter certifieds)
TOTAL DUE		$

MINOR SUBDIVISION

		TOTALS
FILING FEE	$150.00	$150.00
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X 9 notices	$5.00 + $5.54 $ 54.86 (abutter certifieds)
TOTAL DUE AT TIME OF FILING		$ 304.86

****Engineering Review fees may also be required. See note on page 2.**

PRELIMINARY REVIEW OF A MAJOR SUBDIVISION

		TOTALS
FILING FEE	$200.00	$200.00
NUMBER OF LOTS* _____	$30.00 per lot*	
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)
TOTAL DUE AT TIME OF FILING		$

Or units when the subdivision does not create individual lots.

****Engineering Review fees will also be required. See note on page 2.**

FINAL REVIEW OF A MAJOR SUBDIVISION

		TOTALS
FILING FEE	$500.00	$500.00
FIRST FIVE (5) LOTS*	$75.00 per lot*	
NUMBER OF LOTS 6+*	$150.00 per lot*	
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)
TOTAL DUE TIME OF FILING		$

Or units when the subdivision does not create individual lots.

****Engineering Review fees will also be required. See note on page 2.**

SITE PLAN REVIEW

		TOTALS
FILING FEE	$250.00	$250.00
SQUARE FOOTAGE	$75.00 per 1,000 sq. ft. (gross floor area)	
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)

SITE PLAN REVIEW

TOTAL DUE AT TIME OF FILING		$
****Engineering Review fees will also be required. See note on page 2.**		

SITE PLAN REVIEW AMENDMENT (WITH STRUCTURAL CHANGES)

		TOTALS
FILING FEE	$250.00	$250.00
SQUARE FOOTAGE	$75.00 per 1,000 sq. ft. (gross floor area)	
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note below)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)
TOTAL DUE AT TIME OF FILING		$
****Engineering Review fees may also be required. See note below.**		

OTHER

-SITE PLAN REVIEW AMENDMENT (WITH NO STRUCTURAL CHANGES)
-EXTENSION REQUESTS
-CONDITIONAL USE PERMITS

		TOTALS
FILING FEE	$250.00	$250.00
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note below)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)
TOTAL DUE AT TIME OF FILING		$
****Engineering Review fees may also be required. See note below.**		

MINOR SITE PLAN REVIEW

		TOTALS
FILING FEE	$150.00	$150.00
NOTIFICATION FEE **(see note below)**	Current USPS rate per certified notice (see below) X_____notices	$_____(abutter certifieds)
TOTAL DUE		$

ENGINEERING REVIEW FEES:

After an application to the Planning Board is submitted and the filing fees identified above have been paid, the Planning & Development Department will determine the scope of required engineering review and will obtain an estimated cost from the reviewing engineer. A cost estimate of the review fees will usually be generated within two (2) – three (3) business days. Once conveyed to the applicant, the estimated review fees shall be paid by the applicant within five (5) business days, and an escrow account shall be established by the Planning & Development Department. No plans will be reviewed unless and until the review fee estimate is paid, if required.

Please note that escrow fees are only an estimate of what services will cost and actual costs of review may be less or more than the amount initially estimated. Any unused portion of the escrow will be returned to the applicant at the end of the approval process if such a surplus remains. Additionally, in the event the escrow amount does not cover the full cost of services the Applicant shall pay any remaining costs as a condition of approval. See also Section 4.7 of the Site Plan Review Regulations and Section 7.7 of the Subdivision Regulations.

NOTIFICTION FEE: CURRENT FEE as of July 2024 is $5.54 per certified notice

THE CERTIFIED NOTIFICATION FEE IN ALL SECTIONS ABOVE INCLUDES THE FOLLOWING: ALL ABUTTERS, THE APPLICANT, PROPERTY OWNER, HOLDER OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTION(S); AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR OR SOIL SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD AND ANY OTHER PERSONS REQUIRED BY RSA 676:4, I(d).

General Notes

1. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE MAP 24, LOTS 1 AND 1-100 TO CREATE A THIRD LOT 1-200.
2. THE PROPERTY LINES SHOWN WERE DETERMINED BY A FIELD SURVEY CONDUCTED IN OCTOBER 2019 AND JUNE 2021 WITH AN ERROR OF CLOSURE BETTER THAN 1:10,000 AND PLANS AND DEEDS OF RECORD.
3. THE EXISTING CONDITIONS SHOWN ON THIS PLAN ARE BASED UPON AN ACTUAL ON-THE-GROUND INSTRUMENT SURVEY PERFORMED BY VANASSE HANGEN BRUSTLIN, INC IN NOVEMBER 2019, FEBRUARY 2023 AND MAY 2025.
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5. HORIZONTAL DATUM IS N.A.D. 1983.
6. CONTOURS AND SPOT ELEVATIONS SHOWN ARE BASED UPON N.A.V.D. 1988.
7. MAP 24 LOT 1 LIES ENTIRELY WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE CITY OF LEBANON, NH MAP NUMBER 33009C0892E, EFFECTIVE DATE FEBRUARY 20, 2008.
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10. WILDLIFE CORRIDORS SHALL BE PROTECTED BY RESTRICTIVE COVENANTS TO BE RECORDED PURSUANT TO THE APPROVED SITE PLAN FOR 343 MOUNT SUPPORT RD (PB2020-11-SPR).
11. APPROVAL OF THIS SUBDIVISION PLAN BY THE PLANNING BOARD DOES NOT IMPLY THAT ANY OTHER REQUIRED DEVELOPMENT PERMITS WILL BE GRANTED BY OTHER REVIEWING AGENCIES.
12. APPROVAL OF THIS PLAN IS PURSUANT TO CITY OF LEBANON SUBDIVISION REGULATIONS LAST REVISED JUNE 28, 2021.

Lot Table

	LOT 1-100	LOT 1	LOT 1-200
OLD LOTS	2,516,199	771,022	
PARCEL A	(104,942)		104,942
PARCEL B	(220,685)	220,685	
PARCEL C		(147,830)	147,830
PARCEL D	1,004	(1,004)	
NEW TOTAL AREA	2,191,575 S.F.	990,703 S.F.	252,772 S.F.

Certification

I CERTIFY THAT THIS PLAN WAS PREPARED FROM THE BOUNDARY INFORMATION SHOWN ON THE PLAN REFERENCED AND A FIELD SURVEY MADE ON THE GROUND IN OCTOBER 2019 AND JUNE 2021, HAVING A MAXIMUM ERROR OF CLOSURE OF 1 IN 10,000.

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DATE GLEN E. JOHNSON, L.L.S. #898 (VHB)

Wetland Notes

1. WETLANDS AND STREAMS WERE DELINEATED BY VHB'S CERTIFIED WETLAND SCIENTIST KRISTOPHER WILKES (NH CWS #288) ON NOVEMBER 26, 2019.
2. WETLAND AND STREAM FLAGS WERE LOCATED AT THE TIME OF DELINEATION UTILIZING A TRIMBLE R1 GNSS RECEIVER CAPABLE OF SUB-METER ACCURACY.
3. WETLAND DELINEATION WAS PERFORMED IN ACCORDANCE WITH THE PROCEDURES AND STANDARDS OUTLINED IN THE *"1987 CORPS OF ENGINEERS WETLAND DELINEATION MANUAL"* AND THE *"REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0"* (JANUARY 2012).
4. WETLAND DELINEATION ALSO RELIED UPON THE *"FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN THE UNITED STATES, VERSION 8.2"* PUBLISHED BY THE NATURAL RESOURCES CONSERVATION SERVICE, AND THE *"FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, VERSION 4.0"* PUBLISHED BY THE NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION.
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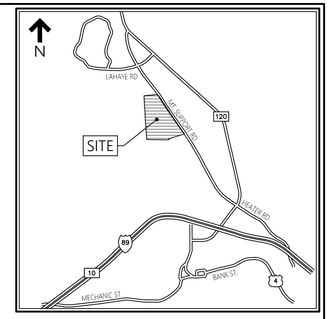

Locus Map
(NOT TO SCALE)

Plan References

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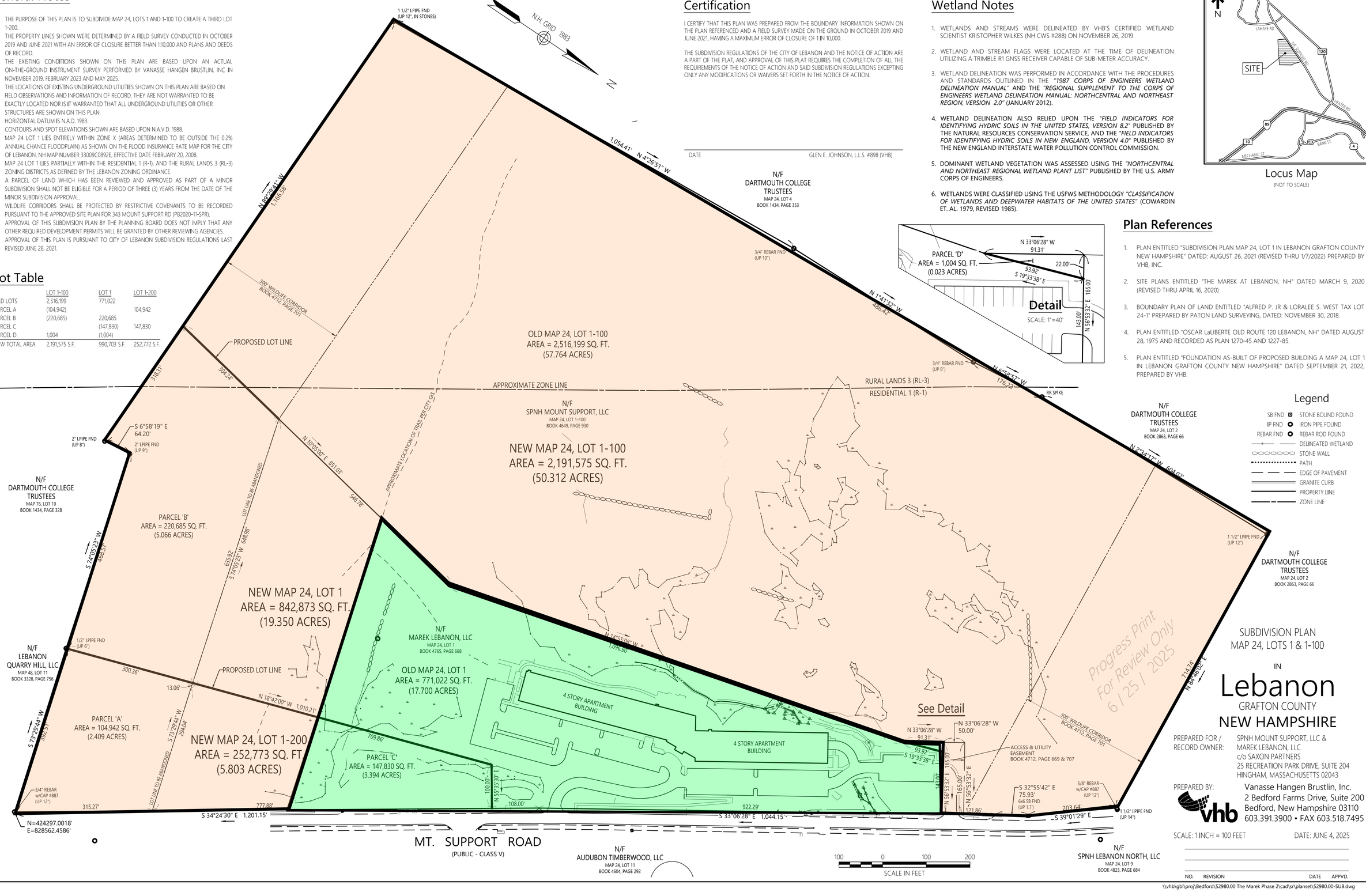

Legend

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- EDGE OF PAVEMENT
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- PROPERTY LINE
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Progress Print
For Review Only
6 / 25 / 2025

SUBDIVISION PLAN
MAP 24, LOTS 1 & 1-100
IN
Lebanon
GRAFTON COUNTY
NEW HAMPSHIRE

PREPARED FOR / RECORD OWNER: SPNH MOUNT SUPPORT, LLC & MAREK LEBANON, LLC
c/o SAXON PARTNERS
25 RECREATION PARK DRIVE, SUITE 204
HINGHAM, MASSACHUSETTS 02043

PREPARED BY: Vanasse Hangen Brustlin, Inc.
2 Bedford Farms Drive, Suite 200
Bedford, New Hampshire 03110
603.391.3900 • FAX 603.518.7495

SCALE: 1 INCH = 100 FEET DATE: JUNE 4, 2025

NO.	REVISION	DATE	APPVD.

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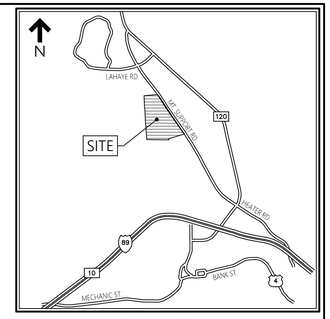

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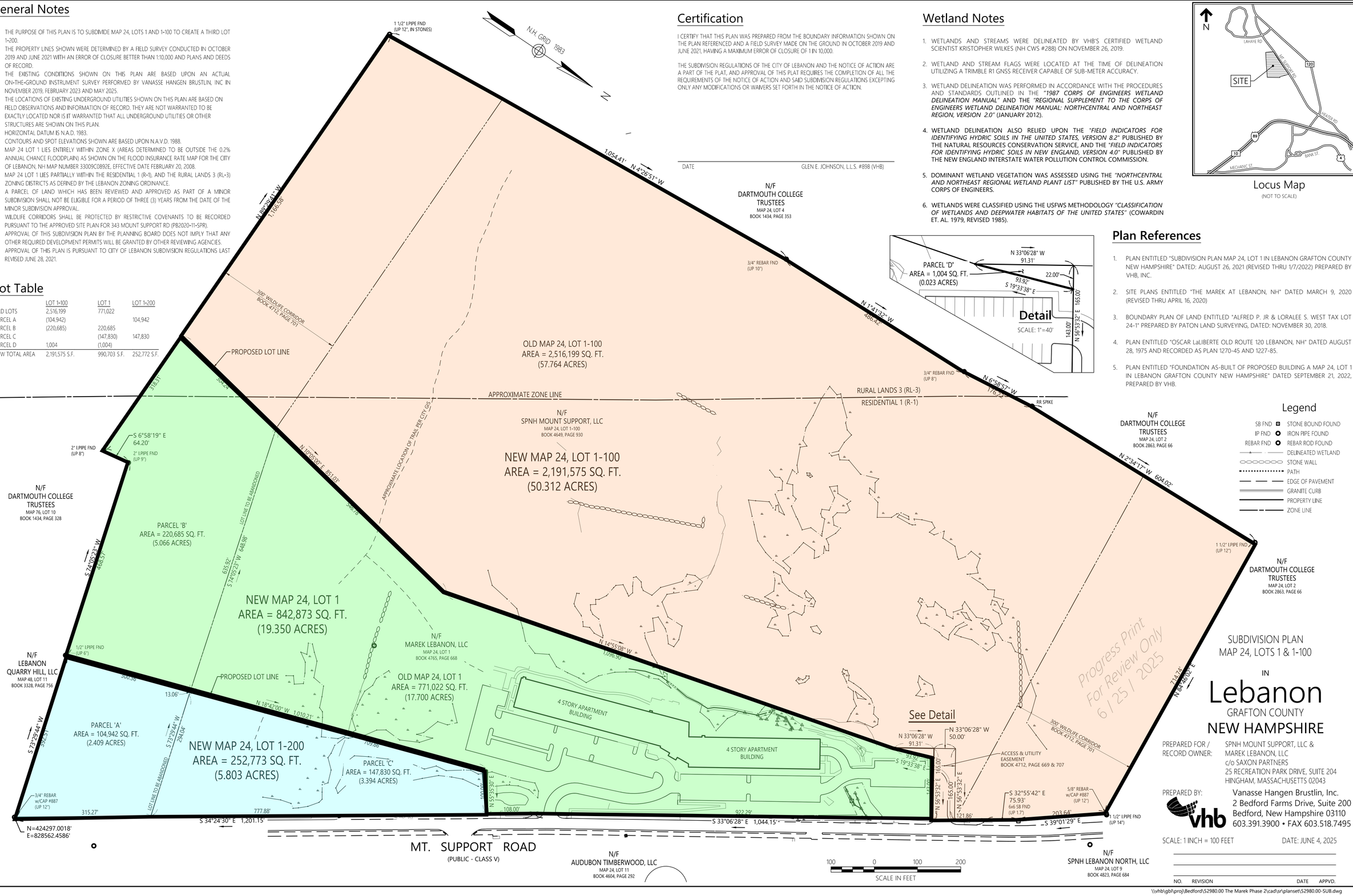

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Progress Print
For Review Only
6 | 25 | 2025

SUBDIVISION PLAN
MAP 24, LOTS 1 & 1-100

IN

Lebanon

GRAFTON COUNTY

NEW HAMPSHIRE

PREPARED FOR / RECORD OWNER: SPNH MOUNT SUPPORT, LLC & MAREK LEBANON, LLC
c/o SAXON PARTNERS
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STATE OF NEW HAMPSHIRE — LICENSED LAND SURVEYOR — NO. 1036 — MICHAEL J. HAMMER — PLYMOUTH

Wetland Notes

1. WETLANDS AND STREAMS WERE DELINEATED BY VHB SENIOR WETLAND SCIENTIST, JAKE TINUS (NH CWS #228) IN APRIL 2024 AND JANUARY 2025
2. WETLAND AND STREAM FLAGS WERE LOCATED AT THE TIME OF DELINEATION UTILIZING A TRIMBLE R1 GNSS RECEIVER CAPABLE OF SUB-METER ACCURACY.
3. WETLAND DELINEATION WAS PERFORMED IN ACCORDANCE WITH THE PROCEDURES AND STANDARDS OUTLINED IN THE "1987 CORPS OF ENGINEERS WETLAND DELINEATION MANUAL" AND THE "REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0" (JANUARY 2012).
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6. WETLANDS WERE CLASSIFIED USING THE USFWS METHODOLOGY "CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES" (COWARDIN ET. AL. 1979, REVISED 1985).
7. THIS PLAN WAS PREPARED WITH A PLANNING BOARD WAIVER REQUEST TO THE REQUIREMENTS TO DEPICT ALL WETLANDS OUTCROPS AND WOODED AREAS 9.5(A)(7) AS A RESULT NOT ALL FEATURES ARE DEPICTED

Locus Map
(NOT TO SCALE)

Plan References

1. PLAN ENTITLED "SUBDIVISION PLAN MAP 24, LOT 1 IN LEBANON GRAFTON COUNTY NEW HAMPSHIRE" DATED: NOVEMBER 22, 2021 (REVISED THRU 1/7/2022) PREPARED BY VHB, INC. RECORDED AS PLAN 16361
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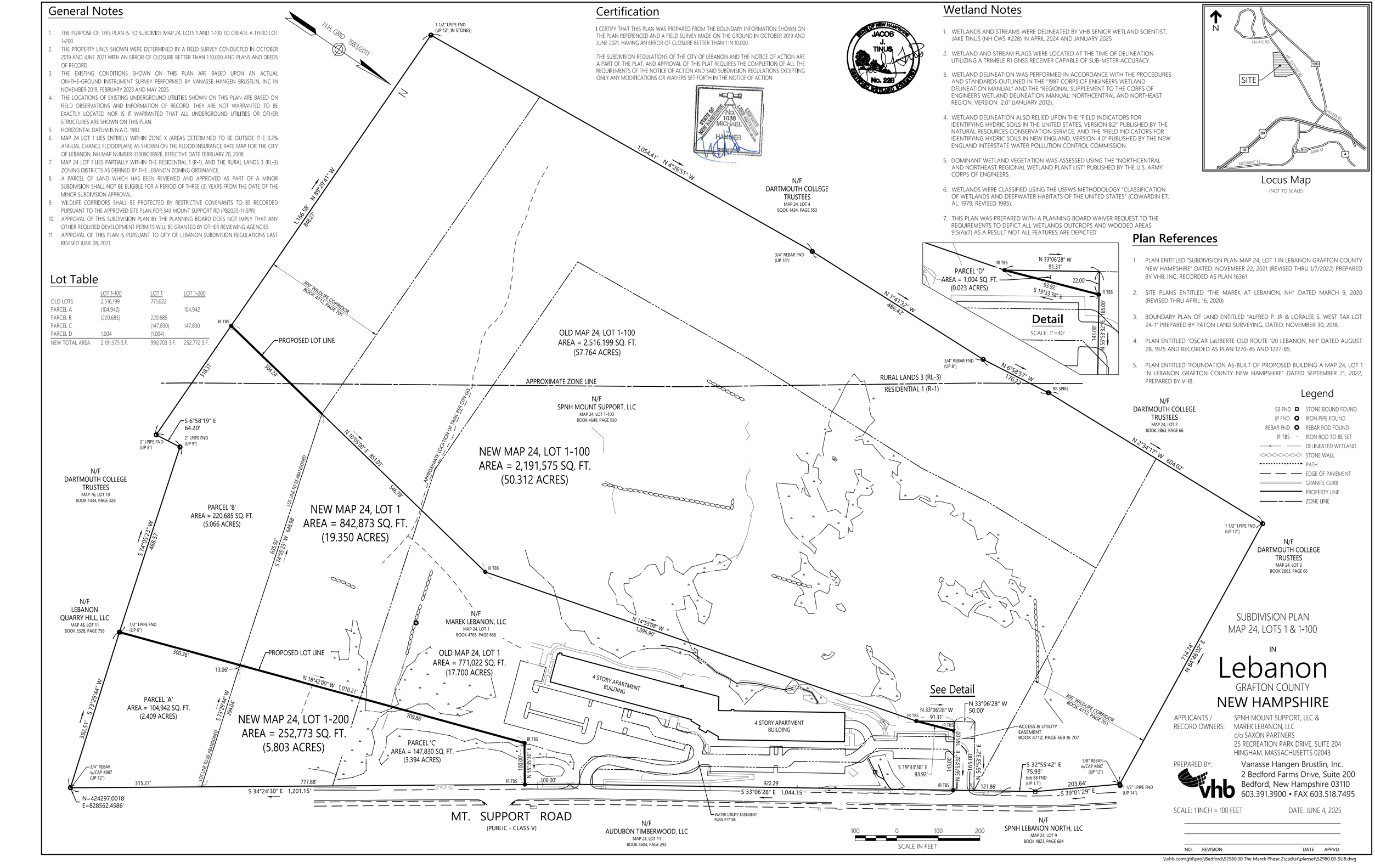
4. PLAN ENTITLED "OSCAR LaLIBERTE OLD ROUTE 120 LEBANON, NH" DATED AUGUST 28, 1975 AND RECORDED AS PLAN 1270-45 AND 1227-85.
5. PLAN ENTITLED "FOUNDATION AS-BUILT OF PROPOSED BUILDING A MAP 24, LOT 1 IN LEBANON GRAFTON COUNTY NEW HAMPSHIRE" DATED SEPTEMBER 21, 2022, PREPARED BY VHB.



Legend

- SB FND — STONE BOUND FOUND
- IP FND — IRON PIPE FOUND
- REBAR FND — REBAR ROD FOUND
- IR TBS — IRON ROD TO BE SET
- DELINEATED WETLAND
- STONE WALL
- PATH
- EDGE OF PAVEMENT
- GRANITE CURB
- PROPERTY LINE
- ZONE LINE

SUBDIVISION PLAN
MAP 24, LOTS 1 & 1-100

IN

Lebanon

GRAFTON COUNTY
NEW HAMPSHIRE

APPLICANTS / RECORD OWNERS: SPNH MOUNT SUPPORT, LLC & MAREK LEBANON, LLC
c/o SAXON PARTNERS
25 RECREATION PARK DRIVE, SUITE 204
HINGHAM, MASSACHUSETTS 02043

PREPARED BY:
Vanasse Hangen Brustlin, Inc.
2 Bedford Farms Drive, Suite 200
Bedford, New Hampshire 03110
603.391.3900 • FAX 603.518.7495

SCALE: 1 INCH = 100 FEET

DATE: JUNE 4, 2025

NO.	REVISION	DATE	APPVD.

\\vhb.com\gbl\proj\Bedford\52980.00 The Marek Phase 2\cad\sr\planset\52980.00-SUB.dwg

CITY OF LEBANON
APPLICATION FOR

SPECIAL EXCEPTION	☐	X☐	SITE PLAN REVIEW
VARIANCE	☐	☐	SUBDIVISION
MOTION FOR REHEARING	☐	☐	LOT LINE ADJUSTMENT
APPEAL OF AN ADMIN. DECISION	☐	x☐	OTHER (AMENDMENT)

PROPERTY OWNER (APPLICANT):

NAME: BRADY SULLIVAN PROSPECT HILLS, LLC [redacted]

MAILING ADDRESS: [redacted]

E-MAIL ADDRESS:

CO-APPLICANT, AGENT, OR LESSEE:

NAME: ROKEH CONSULTING, LLC [redacted]

MAILING ADDRESS: [redacted]

E-MAIL ADDRESS:

PROJECT LOCATION:

TAX MAP #: 108 LOT#: 2 PLOT #: ZONE: R3

STREET ADDRESS OF PROJECT: PROSPECT STREET

IS THIS PROPERTY LOCATED IN THE: **WETLANDS** ☐ YES ☒ NO **HISTORIC DISTRICT** ☐ YES ☒ NO

FLOOD PLAIN ☐ YES ☒ NO

SCOPE OF PROJECT:

AN APPROVAL FOR THE REMOVAL OF OF MATERIAL FROM THE SITE IS BEING SOUGHT. THE HAUL ROUTE PLAN HAS BEEN PREPARED FOR THE INTENDED LOCATION FOR ANY CONCENTRATED HAULING OF UNPROCESSED MATERIAL OFFSITE.

TYPE OF OCCUPANCY:

EXISTING ☒ VACANT ☐ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL

PROPOSED ☐ VACANT ☒ ONE FAMILY ☐ TWO FAMILY ☒ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL

IF USE IS **COMMERCIAL** OR **INDUSTRIAL**, PLEASE NOTE **SPECIFIC** USE:

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on _____, 20____, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

BRADY SULLIVAN PROSPECT HILL, LLC

PROPERTY OWNER: _____, MGR DATE: 7/16/25

ANTHONY J. SULLIVAN, MGR

NOTE: IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING AND SIGN BELOW: I hereby designate the person listed above as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.

PROPERTY OWNER: _____ DATE: _____

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	[redacted]		
7/14/2025	108-2	PB2025-40-SPA			

(Last Revised 10/09/09)

Rokeh Consulting, LLC

July 14, 2025

Tim Corwin – Planning and Zoning
City of Lebanon
51 North Park Street
Lebanon, NH 03766

Re: Prospect Hills Subdivision Phase 2B, 2C, 2E and 2F

Dear Mr. Corwin:

As part of our partial approval that has already been granted for the site it was requested that we continue to look at options for the site for a haul plan for when and if we get to a point where we need to get rid of a larger amount of material than we can handle with the regrading taking place onsite. We are submitting an update version of the plan that shows a haul route to Twin State at 73 Elm Street in Lebanon. If we are forced to get rid of material we can haul to that site and pay to dispose of it there. Because of the approval we already received from that planning board that we are working on implanting now, we do not anticipate needed to do any major trucking until later this fall. We are continuing to work with the Brickyard as an option as well but as of now they are still not able to receive material from the Prospect project. We will continue to monitor their progress and if they get the final approvals they need that will become the location for almost all material we end up needed to remove from the site.

The site has been actively implementing the approval that has already been granted for the project and are in the process of redistributing as much material onsite as possible. Numerous building permits have been applied for and we anticipate the foundations for all of Phase 2C going in soon. The development is moving along well, and we look forward to continuing to work with the City of Lebanon to complete the project.

Thank you for your consideration of this matter and please let me know if you have any questions or comments.

Jon Rokeh, PE

89 King Road, Chichester, NH 03258 * Telephone: 603.387.8688
E-mail: jon@rokehconsulting.com * Website: www.rokehconsulting.com

CERTIFIED NOTIFICATION LIST

Notice shall be sent by certified mail to the Owner; Applicant, if different from Owner; Abutters; Holders of conservation, preservation, or agricultural preservation restrictions (as defined under RSA 477:45) on the subject property; the holders of easements, rights-of-way, and other restrictions; and every engineer, architect, land surveyor, or soil or wetlands scientist whose seal appears on any plan submitted to the Board; and any other persons required by RSA 676:4, I(d). The names and mailing addresses shall be furnished by the Applicant.

672:3 Abutter. – "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A:1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board.
Source. 1983, 447:1. 1986, 33:2. 2002, 216:1, eff. July 15, 2002.

PLEASE PROVIDE NAMES & MAILING ADDRESSES FOR ALL PERSONS LISTED ABOVE.

Map & Lot Number: Map 108 Lot 2&14	**Map & Lot Number:**
Property Owner: Brady Sullivan - Prospect Hill, LLC 670 N. Commercial Street, Ste 303 Manchester, NH 03101	Applicant, Co-Applicant, Agent, or Lessee: Rokeh Consulting, LLC Jon Rokeh PO Box 204, Epsom, NH 03234
Map & Lot Number: Map 122, Lot 37	**Map & Lot Number:** Map 122 Lot 11
Richard W. & Melissa J. Robinson 7 Hillcrest Drive Lebanon, NH 03766	Lynn M. Lebrun PO Box 53 Lebanon, NH 03766
Map & Lot Number: Map 122 Lot 19	**Map & Lot Number:** Map 122 Lot 19-200
Anne E Johnson Rev Trust Anne E Johnson Trustee 2 Woodland Drive Lebanon, NH 03766	Jennifer Johnson Rev Trust Jennifer Johnson Trustee 11 Garnet Street Lebanon, NH 03766

Map & Lot Number: Map 122 Lot 10	**Map & Lot Number:** Map 108 Lot 20
Valerie L and Dennis A Harper 183 Meriden Road Lebanon, NH 03766	Emanuel & Natasha Couto 180 Darthmouth College Highway, Lebanon, NH 03766
Map & Lot Number: Map 108 Lot 3	**Map & Lot Number:** Map 108 Lot 19
Pamela and Allan Green 82 Prospect Street Lebanon, NH 03766	Marjorie F Hayward Trust Denise B Macleod Trustee PO Box 1341 Lebanon, NH 03766
Map & Lot Number: Map 108 Lot 13	**Map & Lot Number:** Map 108 Lot 17
Kimball Properties 19 River Road Woodstock, VT 05091	Upper Valley Educators Institute 194 Dartmough College Highway Lebanon, NH 03766
Map & Lot Number: Map 108 Lot 22	**Map & Lot Number:** Map 109 Lot 30
City of Lebanon 51 North Park Street Lebanon, NH 03766	Lebanon School District SAU #88 20 Seminary Hill West Lebanon, NH 03784
Map & Lot Number: Map 108 Lot 21	**Map & Lot Number:** Map 108 Lot 25
Caitlyn Ann Hauke 168 Darthmouth College Highway, Lebanon, NH 03766	Jeffrey F. & Karen A. Robbins 13 Moulton Avenue Lebanon, NH 03766
Map & Lot Number: Map 93 Lot 125	**Map & Lot Number:** Map 108 Lot 26
City of Lebanon 51 North Park Street Lebanon, NH 03766	Lev W Kalinin & Oleksandra Katrych 115 Prospect Street Ext Lebanon, NH 03766
Map & Lot Number: Map 108 Lot 23	**Map & Lot Number:** Map 108 Lot 29
City of Lebanon 51 North Park Street Lebanon, NH 03766	Susan J. Lemay Revocable Trust Susan J. Lemay Trustee 116 Prospect Street Lebanon, NH 03766

(Revised 2/8/2024)

Map & Lot Number: Map 108 Lot 30	**Map & Lot Number:** Map 108 Lot 14-48
PHAM ALEXANDER TRIEU THAO 22 COURTYARD HANOVER, NH 03755	Saranya Gopal & Venkataramanan Krishnaswamy 80 Mountain View Drive Lebanon, NH 03766
Map & Lot Number: Map 108 Lot 1	**Map & Lot Number:** Map 108 Lot 14-46
Warren Klecan 98 Prospect Street Lebanon, NH 03766	Kelsey L Jordan & Harold F Smith III 78 Mountain View Drive Lebanon, NH 03766
Map & Lot Number: Map 108 Lot 15	**Map & Lot Number:** Map 108 Lot 14-44
Rory C. Gawler 103 Prospect Street Lebanon, NH 03755	Pakdil Muhammet 20 Juniper Circle #2207 Lebanon, NH 03766
Map & Lot Number: Map 108 Lot 14-53	**Map & Lot Number:**
Jeffrey A & Katherine Volckaert 95 Mountain View Drive Lebanon, NH 03766	TES Environmental Associates 1494 Route 3A, Suite 1, Bow, NH 03304
Map & Lot Number: Map 108 Lot 14-54	**Map & Lot Number:**
Matthew S & Rebecca D McKenney 90 Mountain View Drive Lebanon, NH 03766	JE Belanger Surveying 61 Old Hopkington Road Dunbarton, NH 03046
Map & Lot Number: Map 108 Lot 14-52	**Map & Lot Number:** Map 108 Lot 23-100
Joanne M Howard 88 Mountain View Drive Lebanon, NH 03766	REVISION SOLAR IMPACT PARTNERS LLC C/O REVISION ENERGY INC 758 WESTBROOK ST SOUTH PORTLAND, ME 03766
Map & Lot Number: Map 108 Lot 14-50	**Map & Lot Number:**
Fang Li & Haiyi Xie 84 Mountain View Drive Lebanon, NH 03766	

(Revised 2/8/2024)

Map & Lot Number: CONDO	Map & Lot Number:
Patricia Simpson - Association Officer 670 N. Commercial St Suite 303 Manchester, NH 03101	
Map & Lot Number: CONDO	**Map & Lot Number:**
Kevin Mclaughlin - Association Treasurer 670 N. Commercial St Suite 303 Manchester, NH 03101	
Map & Lot Number: CONDO	**Map & Lot Number:**
Mikel MacAuley Board of Directors) 670 N. Commercial St Suite 303 Manchester, NH 03101	
Map & Lot Number: CONDO	**Map & Lot Number:**
Jessica Warren - (Board of Directors) 75 Mountain View Drive Lebanon, NH 03766	
Map & Lot Number: CONDO	**Map & Lot Number:**
Evergreen Management Group c/o Jodi Dube 2458 Christian Street White River Junction, VT 05001	
Map & Lot Number:	**Map & Lot Number:**
Map & Lot Number:	**Map & Lot Number:**

(Revised 2/8/2024)

FEE SCHEDULE
LEBANON PLANNING BOARD
Adopted January 24, 2022

LOT LINE ADJUSTMENT (Boundary Line Adjustment)

		TOTALS
FILING FEE	$25.00	$25.00
ADVERTISING FEE	$100	$100
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)
TOTAL DUE		$

MINOR SUBDIVISION

		TOTALS
FILING FEE	$150.00	$150.00
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note on page 2)**		
TOTAL DUE AT TIME OF FILING		$

****Engineering Review fees may also be required. See note on page 2.**

PRELIMINARY REVIEW OF A MAJOR SUBDIVISION

		TOTALS
FILING FEE	$200.00	$200.00
NUMBER OF LOTS* _____	$30.00 per lot*	$150.00
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)
TOTAL DUE AT TIME OF FILING		$

Or units when the subdivision does not create individual lots.

****Engineering Review fees will also be required. See note on page 2.**

FINAL REVIEW OF A MAJOR SUBDIVISION

		TOTALS
FILING FEE	$500.00	$500.00
FIRST FIVE (5) LOTS*	$75.00 per lot*	
NUMBER OF LOTS 6+*	$150.00 per lot*	
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)
TOTAL DUE TIME OF FILING		$

Or units when the subdivision does not create individual lots.

****Engineering Review fees will also be required. See note on page 2.**

SITE PLAN REVIEW

		TOTALS
FILING FEE	$250.00	$250.00
SQUARE FOOTAGE	$75.00 per 1,000 sq. ft. (gross floor area)	
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note on page 2)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $_____(abutter certifieds)

$5.00 + Current USPS rate per certified notice (see below) X_____notices

$5.00 $

SITE PLAN REVIEW

TOTAL DUE AT TIME OF FILING		$
****Engineering Review fees will also be required. See note on page 2.**		

SITE PLAN REVIEW AMENDMENT (WITH STRUCTURAL CHANGES)

		TOTALS
FILING FEE	$250.00	$250.00
SQUARE FOOTAGE	$75.00 per 1,000 sq. ft. (gross floor area)	
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note below)**	$5.00 + Current USPS rate per certified notice (see below) X_____notices	$5.00 $__(abutter certifieds)
TOTAL DUE AT TIME OF FILING		$
****Engineering Review fees may also be required. See note below.**		

OTHER

-SITE PLAN REVIEW AMENDMENT (WITH NO STRUCTURAL CHANGES)
-EXTENSION REQUESTS
-CONDITIONAL USE PERMITS

		TOTALS
FILING FEE	$250.00	$250.00
ADVERTISING FEE	$100.00	$100.00
NOTIFICATION FEE **(see note below)**	$5.00 + Current USPS rate per certified notice (see below) X__**36**_____notices	$5.00 $**384.44**_(abutter certifieds)
TOTAL DUE AT TIME OF FILING		$ **739.44**
****Engineering Review fees may also be required. See note below.**		

MINOR SITE PLAN REVIEW

		TOTALS
FILING FEE	$150.00	$150.00
NOTIFICATION FEE **(see note below)**	Current USPS rate per certified notice (see below) X_____notices	$_____(abutter certifieds)
TOTAL DUE		$

ENGINEERING REVIEW FEES:

After an application to the Planning Board is submitted and the filing fees identified above have been paid, the Planning & Development Department will determine the scope of required engineering review and will obtain an estimated cost from the reviewing engineer. A cost estimate of the review fees will usually be generated within two (2) – three (3) business days. Once conveyed to the applicant, the estimated review fees shall be paid by the applicant within five (5) business days, and an escrow account shall be established by the Planning & Development Department. No plans will be reviewed unless and until the review fee estimate is paid, if required.

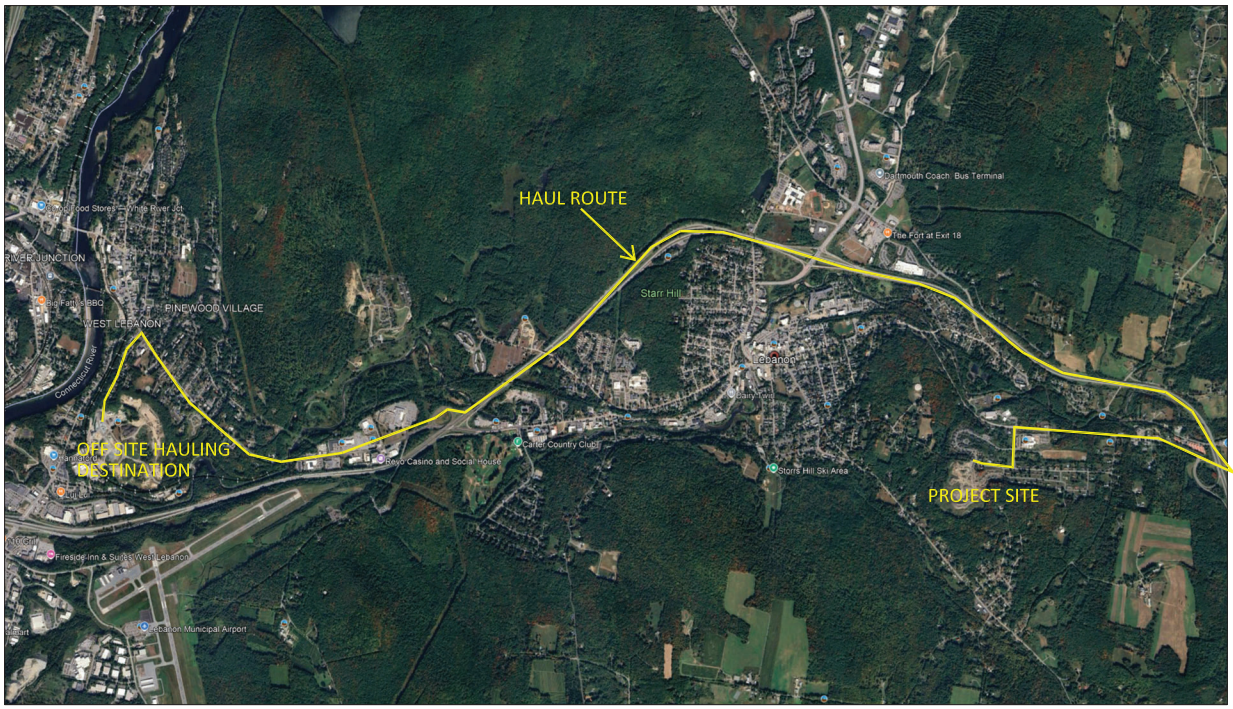
Please note that escrow fees are only an estimate of what services will cost and actual costs of review may be less or more than the amount initially estimated. Any unused portion of the escrow will be returned to the applicant at the end of the approval process if such a surplus remains. Additionally, in the event the escrow amount does not cover the full cost of services the Applicant shall pay any remaining costs as a condition of approval. See also Section 4.7 of the Site Plan Review Regulations and Section 7.7 of the Subdivision Regulations.

NOTIFICTION FEE: CURRENT FEE as of July 2024 is $5.54 per certified notice

THE CERTIFIED NOTIFICATION FEE IN ALL SECTIONS ABOVE INCLUDES THE FOLLOWING: ALL ABUTTERS, THE APPLICANT, PROPERTY OWNER, HOLDER OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTION(S); AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR OR SOIL SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD AND ANY OTHER PERSONS REQUIRED BY RSA 676:4, I(d).

HAUL INFORMATION

1 AMOUNT OF MATERIAL TO REMOVE: We anticipate around 20,000 to 25,000 cu yds of unprocessed ledge that will need to be removed from the site after adjusting the slopes for the site. Without slope adjustments the material may be as much as 70,000 cu yds.
2 HOW TO PROCESS MATERIAL: We will have a crusher onsite making produce that we will be using onsite regardless of material that needs to be removed. The material that would end up being removed would be unprocessed.
3 EQUIPMENT / PROCESS TO BE USED: There will be a crusher set up onsite with rock trucks and loaders moving material around onsite. For material to be removed from the site will be generally loaded in to triaxle trucks to be hauled to the destination at Twin State.
4 DATES OF COMMENCEMENT: Blasted material will likely be moved starting in late May and continue through until road closures in the fall.
5. WEEKLY AND DAILY PROPOSED SCHEDULES: Hauling will occur Monday through Friday from 8 am to 5pm. Crushing/processing will occur at the same time for onsite materials.
6 LOCATION OF MATERIALS ONSITE. The main stock pile areas that are in place and will continue to be utilized are located in the center of the site in the Phase 2F area. Crushing will occur in that area and be transported around the site for construction fill.
8 TRUCK SIZE AND NUMBER OF LOADS TO REMOVE: Triaxle trucks are anticipated to be used to remove material from the site. Base on a volume of 30K it would take approximately 2000 loads over the course of several months to remove the excess. Trucks would utilize primarily Route 4 and Interstate I-89 to move the material to Twin State.



GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft.

DEVELOPER:
BRADY SULLIVAN PROSPECT HILL, LLC
670 N. COMMERCIAL STREET, SUITE 303
MANCHESTER, NH 03101

OFFSITE HAULING PLAN
PROSPECT HILL - PHASE 2
LEBANON, GRAFTON COUNTY, NEW HAMPSHIRE
DATE: 4-1-25

REVISIONS

DATE	DESCRIPTION	DWN BY	CK BY
7-14-25	EDIT TO ROUTE TO ENTER TWIN STATE	JR	JR

Rokeh Consulting, LLC
89 KING ROAD, CHICHESTER, NH 03258
PH: 603-387-8688

SCALE: 1" = 100'
DR. BY: JR CK. BY: JR
JOB NO. 2010.0023
SHEET NO. 1 OF 1

Subdivision Regulations 14.4.C

14.4 Issuance of Building Permits and Certificates of Occupancy

[…]

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.

Because this item has been waived twice in recent memory, may be at odds with modern building techniques, and the intended protections appear also to be provided by 14.4.A and 14.4.B, the Regulations Development Subcommittee would like to discuss ***repealing*** *14.4.C.*

Subdivision Regulations 9.5.C.2 and 13.4.A

9.5 Submission Requirements

A complete application for Minor Subdivision approval shall include the items listed in Section 7.7 of these Regulations as well as the following:

[…]

C. The following supporting documents and information:

[…]

2. Soil Tests: Where private individual wastewater systems are proposed, the Applicant shall perform soil tests complying with requirements of Section 13.4 of these Regulations. For all proposed lots less than five (5) acres in size, the Applicant shall have a soil investigation made and a report prepared to establish the existence of at least 4,000 square feet of contiguous area meeting New Hampshire Department of Environmental Services (NHDES) requirements. NHDES approval of all subdivision lots less than five (5) acres in size shall be obtained and a copy of such approval shall be provided to the Board prior to the recording of the approved plat. The soil maps and information shall be in accordance with the most current USDA Natural Resource Conservation Service County Soil Maps. Maps prepared by field investigation shall be stamped by a Certified Soil Scientist or NH-Permitted Septic Designer. All costs of preparing soil data shall be borne by the Applicant.

13.4 Lots/Lot Area/On-Site Septic System Requirements

A. Lot Sizes and Areas. The minimum lot size for each lot shall be in conformity with the Zoning Ordinance. In addition, where there is to be an on-site subsurface sewage disposal system, additional area may be required based on the following:

1. For each lot in the proposed subdivision requiring a subsurface sewage disposal system, soil data shall be provided using Site Specific Soil Maps for New Hampshire and Vermont SSSNNE Special Publication No. 3, June, 1997.

2. The tests and soil mapping for required soil information shall be performed by a Certified Soil Scientist or NH-Permitted Septic Designer.

3. The report of the Certified Soil Scientist or NH-Permitted Septic Designer shall establish that there is at least 4,000 square feet of contiguous area suitable for the placement of an individual sewage disposal system on each lot.

4. In the case of a subdivision resulting in the creation of lots in excess of five (5) acres, the subdivider may request a waiver under Section 13.19 from the requirements of the investigation and report as to soil data.

Recently an applicant requested to have maps certified by a NH-permitted septic designer rather than a certified soil scientist, which may have been more in line with NH regulations. The Regulations Development Subcommittee would like to discuss ***adding the above changes*** *to 9.5.C.2 and 13.4, with input from the City Engineer.*

Subdivision Regulations 13.8

13.8 Utilities

A. Water:

1. In any subdivision requiring on-lot water source, the subdivider shall demonstrate to the satisfaction of the Board that each lot can be served by an on-lot water source in sufficient quality and quantity.

The Regulations Development Subcommittee would like to ***discuss*** *this item with the City Engineer, to determine whether it would be appropriate to add a waiver to this section for >5-acre RL-zoned lots.*

Site Plan Review Regulations 4.10.B

Section 4.10 – Expiration of Site Plan Approval

B. Notwithstanding paragraph A above, the Board may grant an extension of ~~up to~~ two (2) additional years beyond the original expiration date. A request for such an extension must be submitted by the Applicant to the Planning and Development Department prior to such expiration date, and requests for extension of the site plan approval received after the expiration date will not be considered by the Board. An extension may be granted only after a public hearing with notice as provided in Section 4.8 of these Regulations.

Recently the Board heard an appeal for a second extension request for a developer who was granted one year's extension and subsequently asked for the second year in a separate request. The Regulation Development Subcommittee recommends that the Board ***delete*** *the words "up to" and exclusively grant extensions of no more or less than two years to avoid future conflicts.*

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)

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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.

The MOTION was seconded by Kathie Romano.

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

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

Ms. Romano recused herself because she said she is a member of the The Falls at Rivers Edge community. 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 application of The Falls at Rivers Edge Homeowners Association, Inc PB2025-28-CUPA is complete enough to accept jurisdiction and commence review. The MOTION was seconded by Andrew Faunce.

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

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

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

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

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

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

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

General Conditions
1. Condition of Approval #12 as set forth in the Notice of Action dated November 22, 1999, approving a Conditional Use Permit for a 57-lot cluster subdivision known as the Falls at River's Edge is hereby removed. All other conditions of approval therein shall remain in full force and effect.
2. A copy of this Notice of Action shall be signed by the Planning Board Chair and shall be recorded in the Grafton County Registry of Deeds in accordance with the Planning & Development Department's recording procedures.

The MOTION was seconded by Kellen Appleton.

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

C. Brady Sullivan Prospect Hill, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3: Request 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. PB2025-23-FMAJA - Postponed from May 12, 2025

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

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 application of Brady Sullivan Prospect Hill PB2025-23-FMAJA is complete enough to accept jurisdiction and commence review. The MOTION was seconded by Kathie Romano.

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

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

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

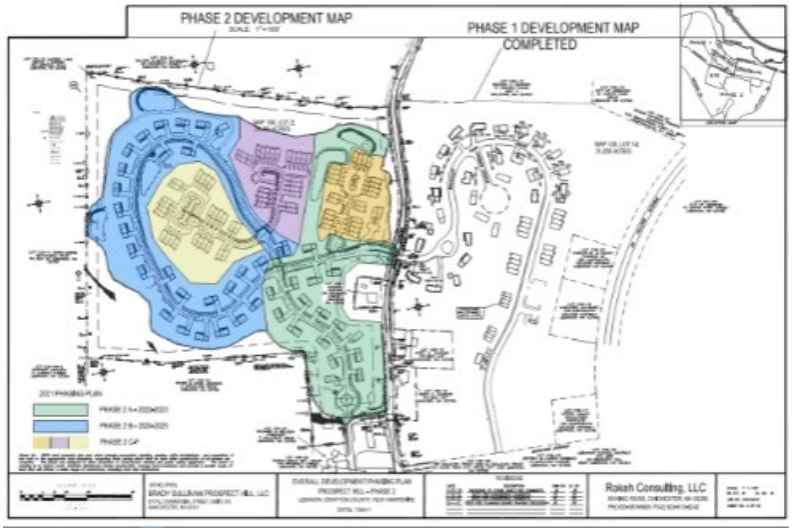

*Figure 1: **Phase 2A** (constructed): Green; **Phase 2C:** Yellow; **Phase 2E:** Light Purple; **Phase 2B**: Blue; **Phase 2F:** Outer edge of blue area*

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.

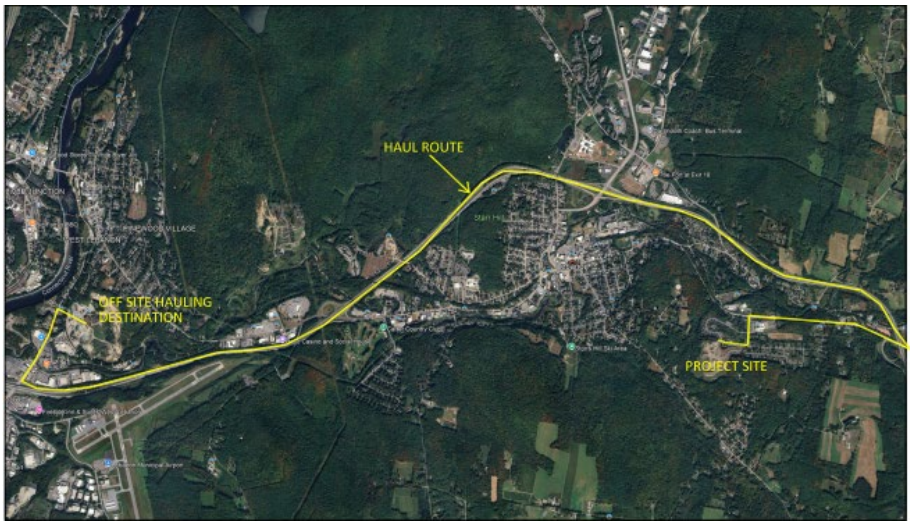

Figure 2

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

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

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

Chair Faunce opened the public comment portion of the meeting.

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

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

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

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

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

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

Mr. David Kuhn (neighbor) said

- The bike path really is just a wider piece of road and needs proper markings and signage to 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 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 hall 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).***

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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

Performance Security Agreement and provide security necessary for the completion of all Phase 2B, 2C, 2D, and 2F required improvements and utilities.
5. Prior to the issuance of any building permits, the applicant shall update the project's Alteration of Terrain Permit with NHDES.
6. Within 30 days of this approval and prior to the issuance of any building permits, the applicant shall, to the satisfaction of the Planning & Development Department and the City Engineer, provide a complete, updated plan set incorporating the plan sheets submitted with this application and making any other revisions necessary pursuant to the approved changes.
7. The specifications and plans for the rock slopes shall, to the satisfaction of City Engineer, state the fill and slope requirements as set forth in Section 13.10 and 13.11 of the Subdivision Regulations so that the contractor is contractually obligated to perform the work in accordance with those specifications, plans and regulations.
8. The third-party inspection required pursuant to condition of approval #5 set forth in the Notice of Action dated November 14, 2016 (PB2016-22-EXT-FMAJ) shall include periodic inspection of the rock slopes ensure their construction in conformance with Section 13.10 and 13.11 of the Subdivision Regulations.
9. Within 14 days of this approval, the applicant shall provide a construction schedule to the City Engineer in order to secure a third-party inspector pursuant to condition of approval #8 above and condition of approval #5 set forth in the Notice of Action dated November 14, 2016 (PB2016-22-EXT-FMAJ).
10. No unit may sold in any phase until all site improvements within that phase are completed to the same degree as required for the issuance of a certificate of occupancy per Section 14.4.A.
11. Fencing shall be installed at the top of each slope in excess of 3H to 1V, that are to be rock-lined, and shall be a minimum height of 4 vertical feet above ground surface. Fencing shall be chain-link with PVC coating to the satisfaction of the Planning & Development Department.
12. Until such time as a full hauling plan is approved by the Planning Board, trucks hauling material shall be limited to 10 a day and hauling shall commence no earlier than 7 am and shall conclude by no later than 4 pm, Monday through Friday. No hauling shall be permitted on the weekends. Additionally, before June 14, 2025 and after August 26, 2025, trucks shall not pass in front of the Lebanon Middle School between the hours of 7:00 am and 8:15 am, and between the hours of 1:45 pm and 3:15pm. At no time shall such trucks use engine brakes while on Prospect St., Moulton Ave., or LaPlante Rd. All trucks hauling material shall have and make use of their covers. Such full hauling plan shall be submitted for review and approval by the Planning Board at the August 2025 regular meeting.

The MOTION was seconded by Eric Stacy.

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

Ms. Appleton rejoined the meeting.

At 8:37pm, Chair Faunce called for a recess.
At 8:47pm, the meeting resumed.

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

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

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

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

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

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

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

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

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

A MOTION was made by Richard Ford Burley that 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 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

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

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

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

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

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

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

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

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

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

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.

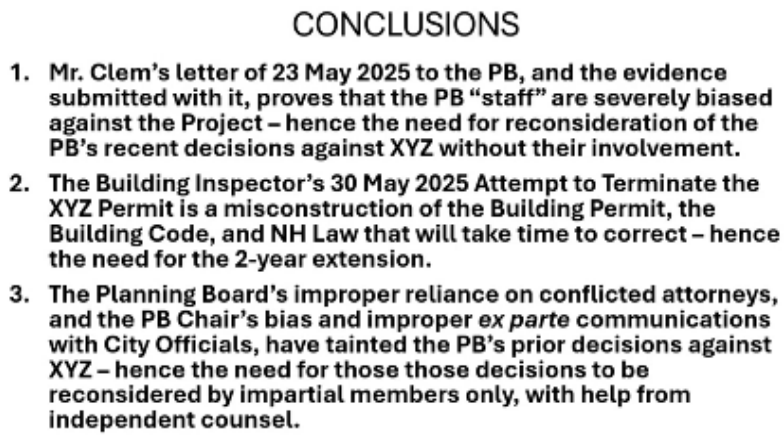

Figure 3: Points made by Attorney Robert Taylor, attorney for XYZ Dairy

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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

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

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

A MOTION was made by Richard Ford Burley to continue the discussion of 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 the July 14, 2025 Planning Board meeting. The MOTION was seconded by .

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

Chair Faunce and Ms. Romano rejoined the meeting.

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

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

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

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

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

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

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

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

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.

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

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

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

The MOTION was seconded by Kellen Appleton.

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

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A MOTION was made by Kellen Appleton that the Lebanon Planning Board approves the application of LRX 1 Martin Drive, LLC, regarding 1 Martin Drive (Tax Map 129, Lot 19), zoned GC, PB2025-21-SPR, for Site Plan approval to replace an existing +/-3,393 sq. ft. building with a new +/- 3,683 sq. ft. building to be used as a car wash, together with associated site improvements including stormwater management, landscaping and lighting as shown on a plan set titled "Lady Rich Express Carwash, LLC," prepared by Granite Engineering, dated April 14, 2025, revised May 28, 2025, Project No. 24-0702-1, including any and all submissions and testimony provided for and during the public hearing.
In support of its decision, the Board finds that the applicant has submitted plans, testimony, technical data, information, reports, and studies that together satisfactorily demonstrate compliance with the applicable requirements of the Site Plan Review Regulations, except as may reasonably be addressed through the imposition of certain conditions of approval, set forth below, and except as may have been waived pursuant to Section 7.1.

This approval is subject to the following conditions:

General Conditions
1. 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. 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.

14. 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).
15. The applicant shall apply for an Excavation Permit, Driveway Permit, and/or Stormwater Permit, if required by the Department of Public Works.

Conditions to be Satisfied Prior to the Issuance of a Building Permit
16. 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.
17. 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, temporary sedimentation and erosion control, and drainage improvements, 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.
18. 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. The applicant shall provide a completed Impact Fee Invoice/Acknowledgment form with the building permit application.
19. All water and sewer fees shall be paid as set forth in City Code Chapter 68.
20. The applicant shall obtain an Excavation Permit, Driveway Permit, and/or Stormwater Permit, if required by the Department of Public Works.
21. 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.

Conditions to be Satisfied Prior to the Issuance of a Certificate of Occupancy
22. The impact fee calculated pursuant to Condition of Approval #17 shall be paid.
23. Third-party engineer or design engineer inspection reports and as-built drawings provided by the applicants (PDF format and CAD .dwg format, using the NH State Plane Coordinate System), including tie sheets, shall be reviewed and approved by the City Engineer.
24. 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 Planning Board in accordance with the Site Plan Review Regulations.

The MOTION was seconded by Richard Ford Burley.

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

G. 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

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

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

4. COMMITTEE REPORTS – none

5. OTHER BUSINESS – none

6. APPROVAL MINUTES – none

7. ADJOURNMENT

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

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

The meeting adjourned at 10:43pm.

Respectfully submitted,
Paula Roux
Recording Secretary

DRAFT

LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
MONDAY, JUNE 23, 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: Jeremy Rutter, Patrick Kennelly

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

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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. 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

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 Alice Peck Day Memorial Hospital, 10 Alice Peck Day Drive (Tax Map 90, Lot 59), zoned R-3 PB2025-29-*SPR *is complete enough to accept jurisdiction and commence review. The MOTION was seconded by Kellen Appleton.

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

Mr. Nik Fiore (Engineering Ventures) and Mr. Jamie Chiasson (APD) were present on behalf of the applicant. Mr. Fiore gave an overview of the project, which involves the expansion of the parking lot area and construction of a concrete pad on the east side of the hospital building. He gave an overview of the waivers being requested. He explained that one waiver (Section 5.1.E.5) is for a full survey to be completed on the property. He said only the front part of the parking area will be affected and asked that the applicant be allowed to obtain a partial survey. The group discussed the waiver request for Section 5.1.E.5 at length and agreed to add a Condition of Approval that requires a partial survey to be completed for the affected area of the property.

A MOTION was made by Richard Ford Burley that for the application of Alice Peck Day Memorial Hospital, PB2025-29-SPR, the Lebanon Planning Board approves partial waivers from the following sections of the Site Plan Review Regulations:

- ***Section 5.1.E.5 – requirement to provide a current survey***
- ***Article V submission requirements and Article VI design requirements as applicable outside of the designated development area***
- ***Section 6.5.I – bicycle parking requirements***

The MOTION was seconded by Kathie Romano.

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

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A MOTION was made by Richard Ford Burley that the Lebanon Planning Board approves the application of Alice Peck Day Memorial Hospital, regarding 10 Alice Peck Day Drive (Tax Map 90, Lot 59), zoned MC-2, PB2025-29-SPR, for Site Plan approval 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 as shown on a plan set titled "Alice Peck Day Memorial Hospital Parking Expansion Site Plans," prepared by Engineering Ventures, PC, dated 05/12/2025, EV Project # 24578 (14 Sheets), including any and all submissions and testimony provided for and during the public hearing.

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

This approval is subject to the following conditions:

General Conditions

1. 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. The development is subject to the Site Plan Review Regulations adopted May 13, 1991, last revised April 28, 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/zoning 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/Zoning Permit and Prior to the Start of Any Construction Activities
11. Within 60 days, the applicant shall complete a survey of the front lot line to the satisfaction of the Planning & Development Department and the City Engineer, and shall update the plan set accordingly. Should any material discrepancies or material changes result from the completed survey and the approved plan set, the applicant shall apply to the Planning Board for review and approval of the revised plan set.
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. 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).
14. The applicant shall apply for an Excavation Permit, Driveway Permit, and/or Stormwater Permit, if required by the Department of Public Works.

Conditions to be Satisfied Prior to the Issuance of a Building Permit
15. 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.
16. 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, temporary sedimentation and erosion control, and drainage improvements, 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.
17. The applicant shall obtain an Excavation Permit, Driveway Permit, and/or Stormwater Permit, if required by the Department of Public Works.
18. 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.

Conditions to be Satisfied Prior to the Issuance of a Certificate of Occupancy
19. Third-party engineer or design engineer inspection reports and as-built drawings provided by the applicants (PDF format and CAD .dwg format, using the NH State Plane Coordinate System), including tie sheets, shall be reviewed and approved by the City Engineer.
20. 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 Planning Board in accordance with the Site Plan Review Regulations.

The MOTION was seconded by Kellen Appleton.

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

3. STUDY ITEMS

A. Review of 2026-2031 Capital Improvement Plan (CIP) Preliminary Project List - Continued from May 27, 2025

Chair Faunce asked the group to review the list of CIP projects that had been provided in the May 27, 2025 agenda packet to see if the Board wanted to

1. provide assistance or information to any project team, or
2. have someone from any project team come to a Planning Board meeting to provide more information about the project.

Chair Faunce noted that project team members could provide information in writing; they did not have to attend a meeting to present to the Board in person.

The group discussed the projects in great detail and decided to have representatives from the following projects provide more information to the Board:

- (Fire) Station 2 Replacement – location in West Lebanon to be determined
- Large Groundwater Well Development – alternative water source for Lebanon
- South Main Street Bridge (Dry Bridge) – current status, after recent temporary closure and repair

Mr. Stacy raised the question of how sidewalk project costs are determined. Mr. Corwin said that was an issue for DPW and not for the Planning Board. The group decided to have someone from DPW come to a meeting to explain how costs for projects, such as the sidewalk projects, are determined (ex. Linear cost per foot, etc.)

Chair Faunce said he'd like to know why so many rotaries/roundabouts are being proposed and/or constructed in Lebanon lately. The group decided to have someone from DPW come to a meeting to discuss the use of rotaries.

The total list of topics that the Planning Board would like to hear more about:

- (Fire) Station 2 Replacement – location in West Lebanon to be determined
- Large Groundwater Well Development – alternative water source for Lebanon
- South Main Street Bridge (Dry Bridge) – current status, after recent temporary closure and repair
- How costs for sidewalk projects are determined
- Use of rotaries in Lebanon

4. COMMITTEE REPORTS

Chair Faunce said the Planning Board Development Regulations Subcommittee (Chair Faunce, Dr. Ford Burley, Mr. Stacy, Mr. Kennelly) will have its first meeting on July 7, 2025 at 5:30pm. He asked the Board members to send any items of concern or interest for this committee to Mr. Corwin.

Chair Faunce said members of the Housing Task Force will be going to the Farmer's Market to interact with the community. He said he would provide a report to the Planning Board next month about the activities of the Task Force.

5. OTHER BUSINESS – no reports

A. Planning Board Process Improvement/Implementation of Rules of Procedure

B. Planning Board Training

6. APPROVAL MINUTES – May 27, 2025, June 09, 2025

The group agreed to postpone approving the minutes of May 27, 2025 and June 09, 2025 until the July 14, 2025 Planning Board meeting.

7. ADJOURNMENT

A MOTION was made by Richard Ford Burley to adjourn the meeting at 7:58pm. The MOTION was seconded by Eric Stacy.

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

The meeting adjourned at 7:58pm.

Respectfully submitted,
Paula Roux
Recording Secretary

DRAFT

LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
MONDAY, JULY 14, 2025 6:30PM

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

MEMBERS ABSENT: None

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

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1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:32pm. Mr. Corwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures. Chair Faunce appointed Ms. Romano as a regular voting member for this meeting.

2. NOTICE OF REGIONAL IMPACT

The following applications were received by the Planning and Development Department on or before ~~May~~ 12, 2025:

- **Marek North, LLC, 402 Mount Support Road (Tax Map 24, Lot 9), zoned R-1: Applicant requests modifications to the phasing plan for a 204-unit multi-family complex, originally approved on February 14, 2022 (PB2021-33-SPR), reapproved on October 9, 2023 (PB2023-34-SPR), and further modified on July 7, 2025 (PB2024-29-SPA). PB2025-38-SPA**
- **343 Mount Support Rd (Tax Map 24, Lot 1) & 0 Mount Support Road (Tax Map 24, Lot 1, Plot 100), zoned R-1 & RL-3: Applicant requests a Boundary Line Adjustment to the existing lot lines and a Minor Subdivision of the subject properties into three (3) lots. PB2025-39-BLAMIN**
- **Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3: Applicant requests approval of a hauling plan for the Prospect Hills Phase 2 development. Submission of the hauling plan is made pursuant to condition of approval as set forth in the Planning Board's June 9, 2025, Notice of Action for PB2025-23-FMAJA. PB2025-40-SPA**

Mr. Corwin said Staff recommends the applications do not have the potential for regional impact.

A MOTION was made by Richard Ford Burley that the applications of Marek North, LLC, 402 Mount Support Road (Tax Map 24, Lot 9), PB2025-38-SPA; 343 Mount Support Rd, (Tax Map 24, Lot 1) & 0 Mount Support Road (Tax Map 24, Lot 1, Plot 100), PB2025-39-BLAMIN; and Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2,

Summary of Comments on 7-14-25 PlnBrd_Minutes-DRAFT1pr JBR edits1.pdf

Page: 1

Number: 1 Author: Jeremy Rutter Date: 8/2/2025 10:27:00 AM

Date should be changed to one in July, either July 14 or the preceding business day, July 10?

PB2025-40-SPA do not have the potential for regional impact. The MOTION was seconded by Jeremy Rutter.

****The MOTION was approved (8-0).***

3. PUBLIC HEARING ITEMS

Chair Faunce said Item 3B will be heard before Item 3A, which is out of the order of the meeting's agenda. Chair Faunce and Ms. Romano recused themselves from the discussion.

B. 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 - Continued from June 9, 2025

Acting Chair Ford Burley said the applicant requested that this application be continued to the August 11, 2025 Planning Board meeting.

A MOTION was made by Patrick Kennelly that the application of 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 be continued to the August 11, 2025 Planning Board meeting. The MOTION was seconded by Eric Stacy.

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

Chair Faunce and Ms. Romano rejoined the meeting.

A. Recreo, LLC, 2 Mascoma Street (Tax Map 91, Lot 254), zoned LD: Applicant received Site Plan approval on July 11, 2022 (PB2022-17-SPR) for a phased redevelopment of the property including construction of two (2) multi-family dwellings containing a total of 152 units together with associated site improvements, which was extended on July 8, 2024 (PB2024-25-EXT). Applicant now requests (1) a waiver from Section 4.10.C of the Site Plan Review Regulations providing that the Planning Board shall grant no more than one extension for any site plan, (2) an additional extension of the timelines associated with obtaining a building permit and for constructing required site improvements, and (3) an amendment to the approved plan to add an additional phase to allow the renovation of the former Village Market space for a proposed food court and restaurant use. PB2025-13-EXT Postponed from May 12, 2025.

Mr. Corwin gave an overview of the history of this project. He explained that the applicant is seeking to change its phasing plan from two phases to three phases as follows:

- Phase I: Renovation of former grocery space to include restaurant and food court
- Phase II: Apartment Building 1
- Phase III: Apartment building 2

He said the applicant had submitted new plans on July 8, which Staff has not yet reviewed. Mr. Corwin said the Board could find the application incomplete and continue the discussion to give Staff time to review the materials. He said the other option for the Board is to consider the

This page contains no comments

request by the applicant to grant the applicant an extension and accept the changed dates in the phasing plan and the amended site plan with three phases. The group decided to hear the applicant's request without waiting for Staff review and to make a Condition of Approval that, within seven days from this meeting, the applicant will represent the plans to the Board if issues arise during Staff review,

Mr. Tim Sidore and Mr. Jim Wasser were present on behalf of the applicant.

Mr. Wasser said Phases II and III have not changed from the original plans. He said the only change is to Phase I, which involves renovating the former Village Market space to house an Italian Market, a restaurant, and a food court.

The group discussed the following:

- Where and how supplies will be delivered to the restaurant
- Location of emergency egress areas
- Whether adequate parking spaces will be available
- Access to restrooms – Mr. Sidore and Mr. Wasser said they'd be willing to add additional restrooms to accommodate older patrons
- How the food court booths will be secured after closing

The group had a lengthy discussion about the demolition of the Sunrise Buffet building and the final traffic circulation and parking lot design. Ms. Zook informed the group that the City Council voted to restore the two-way traffic on Church Street at the conclusion of construction. Mr. Corwin said median improvements that allow cars to take a left turn into the site from Hanover Street and other traffic circulation improvements should be submitted to the Planning Board for review and approval. The group agreed to make it a Condition of Approval.

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 Recreo, LLC, PB2025-13-EXT, with respect to a Site Plan originally approved on July 11, 2022 (PB2022-17-SPR) for a phased redevelopment of 2 Mascoma Street (Tax Map 91, Lot 254), zoned LD, and extended on July 8, 2024 (PB2024-25-EXT), for (1) an additional extension of the timelines associated with obtaining a building permit and for constructing the required site improvements and (2) for an amendment to the approved plan to add an additional phase to allow the renovation of the former Village Market space for a proposed food court and restaurant use, per application materials submitted and including any and all submissions and testimony provided for and during the public hearing.

In support of its decision, the Board finds that:
1. Per Section 4.10.B, the applicant has demonstrated that an extension of time to obtain a building permit for each phase is warranted, considering the totality of the circumstances, including the extent and complexity of the conditions precedent, the extent of the progress made by the Applicant toward satisfying the conditions-precedent and/or starting construction, and whether the need for more time is attributable to unusual circumstances beyond the control of the Applicant rather than to the Applicant's neglect or failure to proceed with reasonable promptness; and

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Number: 1 Author: Jeremy Rutter Date: 8/2/2025 10:29:00 AM
Change "represent" to "resubmit"?

2. Per Section 8.4.A.3, the applicant has demonstrated good cause for an extension of time to achieve active and substantial development for each phase.

This approval is subject to the following conditions:
1. The applicant shall satisfy and comply with the Planning Board Notice of Action for PB2022-17-SPR, dated July 11, 2022, and all conditions of approval thereof except as may be superseded by the conditions below.
2. Within 7 days of this approval, the Planning & Development Department shall notify the applicant as to any aspect of the amended plans which do not, in the opinion of City staff, comply with applicable regulations. Within 30 days of any such notification, the applicant shall either provide revisions to the satisfaction of the Planning & Development Department or shall file a complete application with the Planning & Development Department appealing staff's determination to the Planning Board and/or requesting an amendment to the approved plans.
3. Within 30 days of this approval, the applicant shall submit plans and specifications for the proposed temporary sidewalk and crosswalk along and across Water Street, to the satisfaction of the Department of Public Works.
4. Within 30 days of the Board's approval, the applicant shall work with Planning & Development Department staff to consolidate the plan sets for each phase with the approved set to create a single plan set for the project, for approval by the Planning Board Chair.
5. Within 30 days of the Board's approval, the applicant shall modify the plans for Phase 2 to provide access between the subject property and the City's adjacent Fire Station property at 12 South Park Street.
6. Condition #18 set forth in the Planning Board Notice of Action for PB2022-17-SPR dated June 27, 2022, and Condition #2 set forth in the Planning Board Notice of Action for PB2024-25-EXT dated July 8, 2024, is hereby stricken and replaced with the following:
Pursuant to Section 4.9 of the Site Plan Review Regulations, the project may be constructed in phases as set forth in the chart below and per the conditions of approval set forth in the Planning Board Notice of Action for PB2022-17-SPR dated June 27, 2022:

	Obtain Building Permit By	Project Initiation	Foundation Excavation	Footings/Earth Retention Complete	Steel Erection Complete	Building Envelope Complete	Landscaping/ Hardscaping Complete	Substantial Completion/ Cert. of Occ.
2025 Extension								
Phase I (Existing Building)								
Italian Market	Obtained	Underway	N/A	N/A	N/A	N/A	N/A	9/15/2025
Food Court	10/15/2025	10/31/2025	N/A	N/A	N/A	3/15/2026	5/15/2026	5/15/2026
Phase II (Building 1)	7/11/2026	9/1/2026	10/1/2026	3/31/2027	6/31/2027	1/31/2028	5/15/2028	4/30/2028
Phase III (Building 2)	10/1/2027	10/31/2027	12/1/2027	4/30/2028	8/31/2028	3/31/2029	6/17/2029	5/28/2029

The MOTION was seconded by Eric Stacy.

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

4. OTHER BUSINESS

A. ReVision Energy (applicant), Cole Partners, LLC (property owner), 90 Great Brook Road (Tax Map 194, Lot 1), zoned RL-1, RL-2 and RL-3: Conceptual review for a proposed ground-mounted solar array. PB2025-36-CON

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Number: 1 Author: Jeremy Rutter Date: 8/2/2025 10:31:00 AM

Change "is" to "are"? This is difficult because the change is to the language of a motion, but the subject of this verb is clearly PLURAL . . .

Ms. Megan Ulin (ReVision Solar Project Developer) gave an overview of the proposed project, which involves installation of a solar array at 90 Great Brook Rd.

The group discussed the following:

- Wetland areas at the project site
- Plans for the existing house foundation (that dates back to the 1800s) located on the property
- Topographic variations of areas of the site
- Lifespan of the equipment and equipment replacement procedures
- Lawn maintenance around solar equipment
- Snow and ice issues that may affect equipment
- Projected timeframe for construction of the solar array

Ms. Ulin said the equipment has a lifespan of 25-40 years. She said lawn maintenance under the panels may include the use of sheep grazing. The group discussed how this project is the first of its kind in the City, and it may have greater public interest because of that novelty. Ms. Ulin said abutters and neighbors have not yet been contacted for their input and confirmed that this is a permitted use for the zone in which the property is located. The group discussed perimeter screening that may be required. The Board suggested a site visit may be a good way to encourage discussion with neighbors, if the project progresses.

Mr. Reichert suggested the following:

- Water runoff during construction can be a problem for neighbors
- The view from neighbors' properties should be considered

He suggested the applicant consider holding a community meeting with neighbors prior to the official presentation of the project plans to the Planning Board.

Ms. Ulin confirmed that an interconnection study has been completed and she did not anticipate delays in obtaining an interconnection agreement.

At 8:35pm, Chair Faunce called for a recess.
At 8:42pm, the meeting resumed.

5. STUDY ITEMS

A. 2026 Zoning Amendment Preview

Mr. Reichert discussed the proposed zoning amendments (included in the agenda packet) that are to be considered in 2026. He said some were considered in 2025 and are being carried over. He asked the Board members to consider prioritizing the amendments by importance. Chair Faunce suggested any amendments that promote housing development could be high priority. Dr. Ford Burley said amendments that focus on food service could also be high priority.

A MOTION was made by Richard Ford Burley to extend the meeting at 9:40pm. The MOTION was seconded by Kellen Appleton.
****The MOTION was approved (8-0).***

This page contains no comments

Mr. Reichert asked the Board members to continue considering the priority of the amendments and to email their comments to Staff.

6. APPROVAL MINUTES – May 27, 2025, June 09, 2025, June 23, 2025

A MOTION was made by Karen Zook to approve the May 27, 2025 Planning Board Meeting minutes as presented. The MOTION was seconded by Andrew Faunce.

****The MOTION was approved (5-0, with Kennelly, Romano, and Rutter abstaining).***

The group agreed to postpone approving the minutes of June 09, 2025 and June 23, 2025 until the August 11, 2025 Planning Board meeting.

7. ADJOURNMENT

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

****The MOTION was approved (8-0).***

The meeting adjourned at 9:38pm.

Respectfully submitted,
Paula Roux
Recording Secretary

This page contains no comments