



**LEBANON PLANNING BOARD
SEPTEMBER 22, 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: 287 024 151#). If you have trouble accessing this meeting, please email [Tim Corwin](#).

2. Public Hearing Items

- A. **SPNH Mount Support, LLC, Mount Support Road (Tax Map 24, Lot 1, Plot 100), zoned R-1 & RL-3:** Applicant requests conceptual review per Section 4.3.B of the Site Plan Review Regulations of a proposed 260-unit residential development consisting of three (3) 4-story multi-family dwellings. **PB2025-42-CON - Continued from September 8, 2025.**

3. Study Items

- A. Review of Proposed Amendment by Jon Livadas to Section 607.8 of the Zoning Ordinance (Electric Vehicles)
- B. Review of Proposed Amendment by the Lebanon Energy Advisory Committee (LEAC) to Section 607.8 of the Zoning Ordinance (Electric Vehicles)
- C. Status Report re: Lebanon Housing Task Force activities and Master Plan Chapter 7 Update
- D. Discussion re: Capital Improvement Program (CIP) Policies and Procedures for 2027-2032 CIP

4. Committee Reports

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

5. Other Business

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

6. Approval of Minutes

- A. August 11, 2025
- B. August 25, 2025
- C. September 8, 2025

7. Adjournment

The order of agenda items is subject to change.

Meetings are open for in-person and remote attendance. Members of the public who wish to attend remotely may do so by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupt virtual or phone connection(s), the meeting will continue without remote access capabilities.

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

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

PROPERTY OWNER (APPLICANT):

NAME: Dave Fenstermacher

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

ZONE: R-1 and RL-3

IS THIS PROPERTY LOCATED IN THE:

WETLANDS	☒ YES	☐ NO	HISTORIC DISTRICT	☐ YES	☒ NO
FLOOD PLAIN	☐ YES	☒ NO			

☐ YES ☒ NO

☐ YES ☒ NO

Conceptual Site Plan review for 0 Mt. Support Road in Lebanon, New Hampshire.

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EXISTING ☒ VACANT ☐ ONE FAM ILY ☐ TW O FAM ILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL

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

USE: _____

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted

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.

DATE: August 5, 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.

DATE: August 5, 2025

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #			
8/11/2025	24-1-100	PB2025-42-CON			



August 11, 2025

Ref: 52980.00

City of Lebanon Planning Board
51 North Park St
Lebanon, NH 03766

Re: Conceptual Site Plan Review
Project Narrative
0 Mount Support Road
Tax Map 24 Lot 1-100

Dear City of Lebanon Planning Board,

Project Description

The proposed project involves the construction of three, 4-story residential apartment complex buildings with podium and surface parking, amenities, and landscaping, known as The Marek West ("Project") at 0 Mount Support Road, adjacent to 343 Mt. Support Road, in Lebanon, New Hampshire. The Project is westerly adjacent to a previously permitted residential project. The development parcel ("Site") is located approximately 1 mile south of the Dartmouth-Hitchcock Medical Center and approximately 3 miles south of Dartmouth College. The Project is targeted to serve employees of the medical center and other local residents. The Site is identified as Parcel 1 on Tax Map 24 Lot 1-100, is zoned for residential development, and is owned by SPNH Mount Support, LLC. In total, the Site encompasses approximately 58 acres, which was subdivided from a larger 75-acre parcel.

The parcel consists of sloping elevations on mostly forested land. The proposed development area is smaller and focused on approximately 6 acres. The Site is currently undeveloped, but it was previously logged at various times, and rock quarrying and earthen material removal activities also occurred. The proposed development would share an entrance drive to an adjacent residential development located at 343 Mt. Support Road. Several multi-family complexes and apartment buildings are present in the general area. Other properties to the west are forested (zoned as rural lands) and have many hiking trails, including trails to the top of Quarry Hill to the south of the Site.

Permitting

As there is wetland impacts proposed, a Special Exception from the ZBA was applied for and granted with a positive Conservation Commission recommendation. As it relates to the wetlands, the applicant has concurrently submitted an NHDES Wetlands Permit application to the state, which is pending final review. The site is also subject to the NHDES Alteration of Terrain Permit for stormwater design approval, which will be applied for after the full design plans have been developed for Site Plan Review.



Conformance with the Master Plan

The Northern Lebanon Community Plan encourages the introduction of a range of housing types and higher density residential options to accommodate the City's growing population and workforce demands. Consistent with that plan, the proposed 260-unit multifamily development located at 0 Mt. Support Road offers a mixture of studio, one- and two-bedroom apartments in an already developing corridor. The project further supports the overarching goals of the Northern Lebanon Community Plan in several important ways. The project advances Strategy 1 with a substantial expansion of the adjacent wildlife corridor conservation areas and an extension of the adjacent trail system maintained by the Upper Valley Mountain Biking Association. The project advances Strategy 2 by building near key corridors already prioritized for pedestrian and multimodal enhancements with the Advanced Transit bus line and multi-use path both located to the front of the project on Mt. Support Road. With its proximity to DHMC and the many businesses along the Rt 120 corridor, the proposed development also reinforces the plan's vision of increasing housing opportunities in close proximity to economic hubs, a major theme of Strategy 3. In summary, the project's type of housing in this location together with the substantial expansion of the wildlife corridor area promotes smart growth while also expanding conservation lands.

Thank you for your time and consideration of the project.

Sincerely,

A handwritten signature in blue ink, appearing to read "DF", is written over a horizontal line.

Dave Fenstermacher, PE
Managing Director

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: 48-11
DARTMOUTH COLLEGE TRUSTEES PO BOX 5188 HANOVER, NH 03755	LEBANON QUARRY HILL LLC PO BOX 1051 NORWICH, VT 05055
Map & Lot Number: 24-11	Map & Lot Number: 24-9
AUDUDON TIMBERWOOD LLC 535 BOYLSTON ST BOSTON, MA 02116	SPNH LEBANON 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:
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Map & Lot Number:	Map & Lot Number:

Fee Calculation

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 certified(s)
TOTAL DUE		\$202.02

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 certified(s))
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 certified(s))
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 certified(s))
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)	75
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 certified(s)

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 certified)
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 -Conceptual Site Plan Review -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 <u>10</u> notices	\$5.00 \$ <u>60.40</u> (abutter certified)
TOTAL DUE AT TIME OF FILING		415.40
**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 certified)
TOTAL DUE		\$

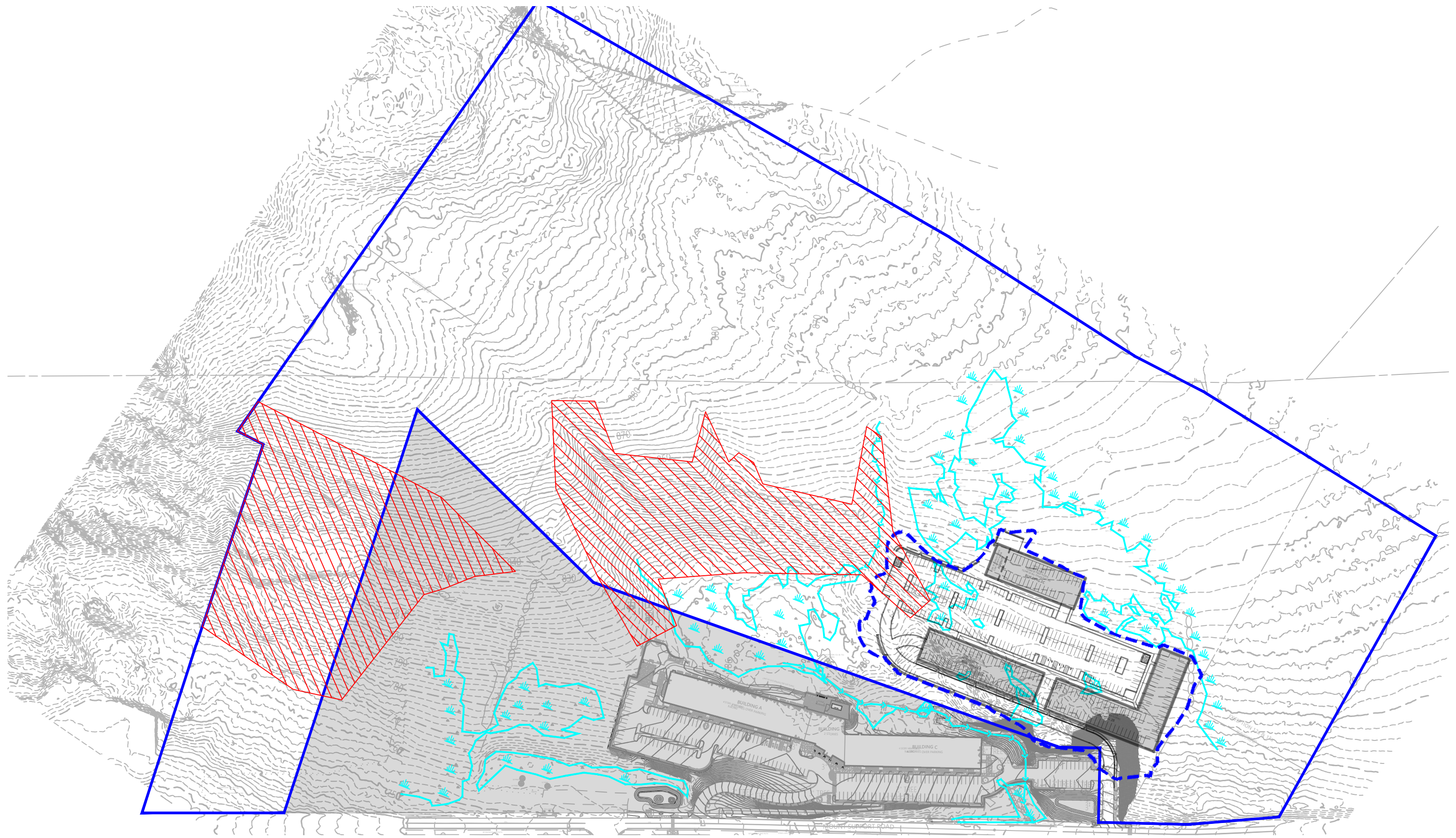
ENGINEERING REVIEW FEES:

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.

NOTIFICATION FEE: CURRENT FEE as of July 2024 is \$6.04 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).



LEGEND
STREAM

WETLAND

LIMIT OF WORK



343 MOUNT SUPPORT ROAD PROPERTY

THE MAREK WEST PROPERTY LINE

SLOPES > 25%

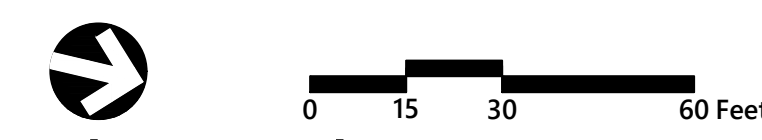
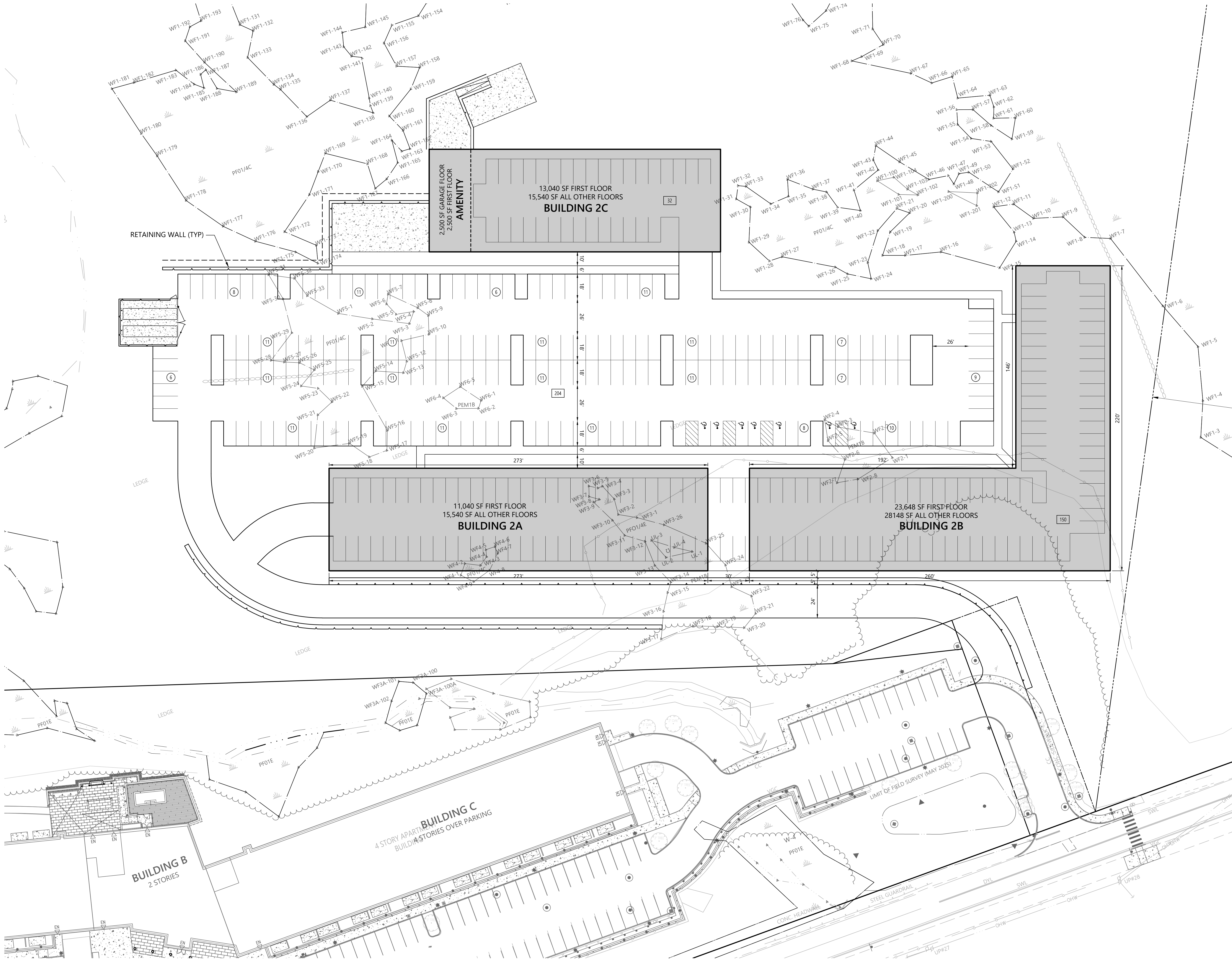


Site Constraints
The Marek West
Lebanon, NH

Figure 1

August 2025

Saved Tuesday, August 5, 2025 9:27:28 PM SELUROCK Plotted Friday, August 8, 2025 2:25:26 PM Andras Percic



**The Marek West
at Lebanon, NH**
0 Mount Support Road
Lebanon, New Hampshire

No.	Revision	Date	Appr'd.

Designed by SJF	Checked by DHF
Issued for Permitting	Date August 11, 2025

Drawing Title
Conceptual Site Plan Layout

Drawing Number

CSP 1.00

Sheet 1 of 1

Lebanon City Council
Shaun Mulholland
Jack Wozmak
Lebanon City Hall
51 N Park St
Lebanon, NH 03766

Dear Members of the Lebanon City Council,

I am writing to formally submit a petition in accordance with Section 1000.2.C of the Zoning Ordinance on behalf of the voters who have signed the petition. This petition seeks to amend the Zoning Ordinance, specifically Section 607.8.C.2, which pertains to the regulations for electric vehicle (EV) charging in multi-family dwellings.

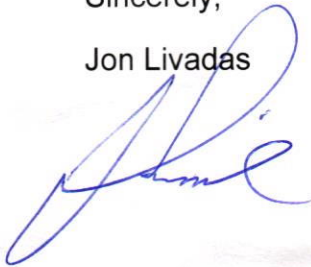
The attached document outlines the proposed amendment and our rationale for the requested changes. We believe that the current EV charging requirements are overly restrictive and financially burdensome, particularly for new developments which will further inflate the housing crisis and limit affordable housing development. By revisiting the requirement using accurate data and by allowing these decisions to be made through the site plan review process, we can ensure a more flexible and case-by-case approach that better accommodates the diverse needs of different projects within our community.

We respectfully request that this petition be reviewed and considered for adoption to promote equitable development and the effective allocation of resources.

Thank you for your attention to this matter.

Sincerely,

Jon Livadas



Petition 1000.2 C: Revising the EV Charging Mandate

607.8 Electric Vehicles.

- A. Purpose. The purpose of this section is to facilitate the transition to **electric vehicle** use and to expedite the establishment of convenient, cost-effective **electric vehicle infrastructure** that such a transition necessitates.
- B. Applicability. **EV charging stations** are allowed as an **accessory use** in all zoning districts. When the retail charging of **electric vehicles** is proposed to be the principal use of a **lot**, then the proposed **EV charging station** shall be considered a **service station** for zoning purposes.
- C. ~~EV Infrastructure Requirements / Off-Street EV Parking Requirements. EVSE-installed spaces, EV-ready spaces, and EV-capable spaces shall be provided as follows:~~
- ~~1. One and Two-Family Dwellings. All new one and two family dwellings shall provide at least one (1) EV-ready space per dwelling unit.~~
 - ~~2. Multi-Family Dwellings. Parking for multi-family dwellings and senior housing complexes shall include a minimum of 65% of EVSE-installed EV-ready, and EV-capable spaces as follows:~~
 - ~~a. EVSE-installed spaces for a minimum of 5% of proposed off-street parking spaces.~~
 - ~~b. EV-ready spaces for a minimum of 20% of proposed off-street parking spaces.~~
 - ~~c. EV-capable spaces for a minimum of 40% of proposed off-street parking spaces.~~
 - ~~3. Non-Residential Uses. Parking for uses requiring or proposing to provide 30 or more off-street parking spaces shall include a minimum of 50% of EVSE-installed, EV-ready, and EV-capable spaces as follows:~~
 - ~~a. EVSE-installed spaces for a minimum of 2% of proposed off-street parking spaces, with a minimum of two EVSE-installed spaces.~~
 - ~~b. EV-ready spaces for a minimum of 10% of proposed off-street parking spaces.~~
 - ~~c. EV-capable spaces for a minimum of 38% of proposed off-street parking spaces.~~
 4. Where the calculations above result in a fractional parking space, it shall round up to the next whole number.
 - ~~5. Where the number of EVSE-installed spaces provided exceeds the minimum required, the excess spaces shall be deducted from the total number of required EV-ready spaces.~~
 - ~~6. Where the number of EV-ready spaces provided exceeds the minimum required, the excess EV-ready spaces shall be deducted from the total number of required EV-capable spaces.~~
 - ~~7. Up to five (5) Level 2 EV-installed spaces may be substituted with one (1) Level 3 EV-installed space (minimum 50kW).~~
 - ~~8. EVSE-installed spaces, EV-ready spaces, and EV-capable spaces are to be included in the calculation for both the number of minimum required and maximum permitted off-street parking spaces.~~
 - ~~a. Every two (2) EVSE-installed spaces provided in addition to the required minimum may be counted as four (4) off-street parking spaces as relates to Section 607.1 (Minimum Off-Street Parking Requirements), for reduction of total required parking not greater than 10 percent of the total amount of required parking.~~

This document serves as a petition to remove the Electric Vehicle (EV) charging mandates from the Zoning Ordinance and instead include a simpler requirement that suits the actual projected demand in Site Plan regulations.

The current multi-tiered approach of EV charging requirements is overly cumbersome, financially prohibitive, and confusing for property owners. The existing zoning ordinance assumes that almost every tenant will have at least one electric vehicle and lacks the flexibility needed to accommodate various types of projects, forcing all properties, including affordable housing, to adhere to the same overbearing standards. There is no data supporting the current mandates and while we understand Lebanon's EV goals the requirement seems to greatly out project a realistic EV adoption rate. Furthermore, the data showing EV growth in the Lebanon seems to be inaccurate, only covers a few years, and it doesn't distinguish between EV owners who own vs those who rent their homes. This is a crucial factor, as renters have different needs and priorities compared to homeowners when it comes to their vehicle choices. Ignoring this distinction further compounds the issues with the current one-size-fits-all approach

The EV industry continues to evolve as technology changes and making decisions today under the guise of being proactive to save property owners money in 5 or 10 years seems short-sighted given the limited and inconsistent data. Below are two screen grabs from the Lebanon website discussing registered EVs in Lebanon. The first is from last year (2024) and states Lebanon had 212 EVs in 2023. The second image is currently on the website and states there were 58 in 2023 and 95 in 2024.

[News Flash Home](#)
The original item was published from 12/28/2023 11:05:00 AM to 6/2/2024 12:00:01 AM.
[Electric Vehicles](#)

Posted on: December 28, 2023

[ARCHIVED] EV Adoption Zooming Ahead

The latest vehicle registrations in Lebanon confirm a rapid rise in the number of electric vehicles (EVs), which includes all-electric cars or trucks and plug-in hybrids. The same acceleration is happening in Grafton County, across the State of New Hampshire, and in the United States as a whole, Lebanon's [Electric Vehicle \(EV\) Subcommittee](#) reports.

Compared with December 2022, the number of EVs registered in Lebanon increased by 70% in December 2023. And compared with 2016, when the first long-range EVs became available (other than Teslas), EV registrations in Lebanon increased by 278% in 2023. The absolute numbers still are small locally -- we are up to 212 EVs in Lebanon -- but the trend toward more EVs is happening in all parts of the state and the country.

[CNN reports](#) that in 2023 for the first time, U.S. consumers bought more than 1 million EVs in a single year, accounting for around 8% of car sales. A [recent presentation](#) by the New Hampshire Department of Environmental Services (DES) showed increased EV registrations in every county, with Grafton being the fourth most EV-popular county in the state:



Why EVs?

- EVs are fun to drive!
- Throughout New England, transportation emits carbon dioxide (a greenhouse gas) more than any other sector of society. The same is true in Lebanon. According to the 2012 Lebanon Master Plan, Lebanon's commercial sector is the largest carbon emitter here, and 70% of that is commute vehicle emissions.
- EVs can run on clean, affordable, domestic electricity.
- EVs save money in the long run. Although purchase prices for some EVs can be higher than for some internal-combustion vehicles, costs for fuel and maintenance are dramatically lower with EVs, producing considerable savings overall.
- EVs are good for business. [Installing EV charging stations increased sales at nearby businesses by an average of 13% in a four-year study of 273 stores, restaurants, hotels, and other retail businesses.](#) In a [separate study](#) of 4,000 EV charging stations and 140,000 business establishments, installing EV charging increased annual spending at nearby businesses by 2.7% in 2019 and 3.2% in 2021-2023.
- The U.S. auto industry is shifting to EVs. The number of plug-in vehicles registered in Lebanon increased by 58% between December 2023 and December 2024 (from 58 to 95 EVs and plug-in hybrids). Plug-in vehicles comprised 3.5% of vehicles in Lebanon in 2024, up from 0.5% in 2020. Also view [a town-by-town breakdown of 2020 EV registrations](#) (PDF).

So which number is correct? We would be surprised if EV ownership has gone down, and we are not arguing the industry isn't growing, but we do believe a more balanced approach is necessary. One that aligns with the actual needs of the community while forecasting a realistic adoption rate based on defensible, local data rather than nationwide statistics or only pro EV articles. Requiring 65% or more parking spaces to be EV/ready when there is no data to support that number is an overreach. For instance, The Lebanon Woolen Mill (LWM) multi-family development, has 240 parking spaces and is required to have 156 EV parking spaces mixed across the different levels. LWM, will have almost three times more EV ready spaces than there are registered EVs in Lebanon. Furthermore, the development is private, and the chargers will not be accessible to non-residents. Would we be better served by focusing on public charging stations accessible to everyone?

Imposing the current EV charging requirements is financially burdensome for property owners. The significant upfront costs will not yield short-term or long-term value, as technology and market demands evolve rapidly, and future value does not lower the cost of building today. These additional costs will result in less development of both market rate and affordable housing. We need housing units OF ALL KIND - the more supply the more rent relief the market will see.

As it stands, the EV ordinance does not offer the adaptability needed to address the unique circumstances of different developments. By moving EV requirements to the site plan review process, decisions can be made on a case-by-case basis just as parking requirements are managed today. This would allow for a more tailored approach,

ensuring that the needs of each project are adequately met without imposing unnecessary financial burdens on specific projects such as affordable housing.

Lastly, the EV mandate seems to not have thought about the impact it will have on the power grid if all the proposed developments get built. We understand charging will mostly happen during the night when tenants are home but still, the grid must be able to support the power being brought to the site. Were utility companies consulted regarding the additional load these requirements would impose and if that type of power could be provided? Using the Lebanon Woolen Mill project as an example, the switchgear needed to power just the EV aspect could power a 100-unit building. Many designated EV spaces won't have chargers installed as laid out in the requirements, yet our site will still need three switchgears. This is creating a scenario where the power infrastructure is significantly expanded without any guarantee of utilization while potentially lowering the load potential elsewhere. These are all issues California is dealing with today due to their overly aggressive EV requirements.

We believe that rescinding the EV charging mandate, right sizing it for the community future need, and moving it to the Site Plan Regulations will foster a more economically viable development landscape while motivating smaller property owners to invest in their assets to bring more housing on a smaller scale to Lebanon. By enabling a flexible approach through site plan review, we can ensure that each project is evaluated on its own merits and specific needs, similar to how parking requirements are handled.

If you support the above, please sign below:

Name: Karen A. Slayton

Signature: Karen A. Slayton

Date: May 20, 2025

Name: Robert E. Slayton

Signature: Robert E. Slayton

Date: May 20, 2025

Name: Gordon Bailey

Signature: Gordon Bailey

Date: May 20, 2025

Name: SIAMANTHA MEDINA

Signature: Samantha Medina

Date: May 21 2025

Name: Tracy Packard

Signature: Tracy Packard

Date: May 21 2025

Name: Cote Swenson

Signature: Cote Swenson

Date: May 21 2025

Name: Kim Davis

Signature: Kimberlee Davis

Date: 5/21/25

Name: Michele Hammond

Signature: Michele Hammond

Date: 5/21/2025

Name: Mary Mayes

Signature: Mary Mayes

Date: 5/21/2025

Name: Don Talburt

Signature: Don Talburt

Date: 5/21/2025

APPENDIX A

Draft amendments to Zoning Ordinance (with proposed changes in red)

From Zoning Ordinance pages 183-184:

607.8 Electric Vehicles.

A. Purpose. The purpose of this section is to facilitate the transition to **electric vehicle** use and to expedite the establishment of convenient, cost-effective **electric vehicle infrastructure** that such a transition necessitates.

B. Applicability. **EV charging stations** are allowed as an **accessory use** in all zoning districts. When the retail charging of **electric vehicles** is proposed to be the principal use of a **lot**, then the proposed **EV charging station** shall be considered a **service station** for zoning purposes.

C. EV Infrastructure Requirements / Off-Street EV Parking Requirements. **EVSE-installed spaces, EVSE-ready spaces, and EVSE-capable spaces** shall be provided as follows:

1. One- and Two-Family Dwellings. All new **one-** and **two-family dwellings** shall provide at least one (1) **EVSE-Ready Low-power Level 2 charging** space per **dwelling unit**.
2. All new dwellings with up to three units, including Accessory Dwelling Units (ADUs), shall provide at least one (1) **EVSE-Ready Low-power Level 2 charging** space per dwelling unit.
3. Multi-Family Dwellings (four or more units; adding units to existing multi-family housing triggers the requirements for the new units only). Parking for new **multi-family dwellings** shall include:
 - a. For each residential unit with parking, **at least one EVSE-Ready Low-power Level 2 charging space per unit**.
 - b. **EV-Capable Low-power Level 2 spaces** for a minimum of 25% of the remaining off-street parking spaces.
4. Non-Residential Uses. Parking for uses requiring the provision of 10 or more new or additional **off-street parking spaces** shall include:
 - a. **EVSE-Installed Level 2 spaces** for a minimum of 2% of new or additional **off-street parking spaces**, with a minimum of two **EVSE-Installed spaces**.
 - b. **EVSE-Ready or EVSE-Capable Level 2 spaces** for a minimum of 20% of new or additional **off-street parking spaces**.
 - c. For parking spaces dedicated for employee use, these requirements may be replaced by a minimum of one EVSE-Ready Low-power Level 2 charging space for at least 30% of employees in the largest shift who drive to work.
 - d. For existing (not "greenfield") non-residential developments, these requirements for EV charging may be replaced by a contribution to a common fund managed by the City of Lebanon for installing public EV charging stations at a separate site, with the contribution amount to be determined by the City.

5. Where the calculations above result in a fractional parking space, it shall round up to the next whole number.
6. Where the number of **EVSE-Installed spaces** provided exceeds the minimum required, the excess spaces shall be deducted from the total number of required **EVSE-Ready spaces of a similar level (Low-power Level 2, or Level 2)**.
7. Where the number of **EVSE-Ready spaces** provided exceeds the minimum required, the excess **EVSE-Ready spaces** shall be deducted from the total number of required **EVSE-Capable spaces of a similar level (Low-power Level 2, or Level 2)**.
8. Up to five **Level 2 EVSE-Installed spaces** may be substituted with one (1) **Level 3 EV-Installed space** (minimum 150 kW).
9. **EVSE-Installed spaces, EVSE-Ready spaces, and EVSE-Capable spaces** are to be included in the calculation for both the number of minimum required and maximum permitted off-street parking spaces.
 - a. Every two (2) **EVSE-Installed spaces** provided in addition to the required minimum may be counted as four (4) **off-street parking spaces** as relates to Section 607.1 (Minimum Off-Street Parking Requirements), for reduction of total required parking not greater than 10 percent of the total amount of required parking.

Pages 183-184 and 187:

Appendix A – Definitions

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) / EV CHARGING STATION (EVCS): The apparatus installed specifically for the purpose of transferring energy between the site or building wiring and the Electric Vehicle. EVSE does not include any equipment affixed to the electric vehicle.

ELECTRIC VEHICLE INFRASTRUCTURE: Structures, machinery, and equipment necessary and integral to support an **electric vehicle**, including **EV charging stations** and electrical outlets.

ELECTRIC VEHICLE (EV): An automotive-type vehicle for on-road use primarily powered by an electric motor, including any battery electric vehicle, ~~fuel-cell electric vehicle~~, or plug-in hybrid electric vehicle, that draws current from an onboard battery charged through a building or site electrical service, **EVSE**, or other source of electric current.

EVSE-CAPABLE SPACE: An **off-street parking space** with electrical panel capacity and space for a branch circuit dedicated to the parking space that is not less than **20-ampere and 110/120-volt panel capacity for Level 1 charging, or 20-ampere and 208/240-volt for Low-Power Level 2 charging, or 40-ampere and 208/240-volt for Level 2 charging**, and is equipped with raceways, both underground and surface mounted, to enable the future installation of **EVSE**. For two adjacent EV-capable spaces, a single branch circuit is permitted.

EVSE-READY SPACE: An off-street parking space provided with a full dedicated branch circuit that includes not less than **20-ampere and 110/120-volt panel capacity for Level 1 charging, or 20-ampere and 208/240-volt panel capacity for Low-Power Level 2 charging, or 40-ampere and**

208/240-volt panel capacity **for Level 2 charging plus** conduit, wiring, receptacle, and overprotection devices terminating in an outlet **or** receptacle **or junction box** that will support an installed EVSE **or support attachment of a charge cord for the vehicle** and which is located in close proximity to the location of the parking space. For two adjacent EV-Ready spaces, a single branch circuit is permitted. These spaces are “ready to go” **as outlets for users who bring their own charging cords or** with the addition of an installed EV charging station (EVCS).

EVSE-INSTALLED SPACE: An **off-street parking space** with a dedicated branch circuit and **EVSE.**~~at minimum.~~

LEVEL 1 (which is not mandated but is included here for informational purposes): Charging level for **EVs** that operates on a dedicated 20-amp breaker (same kind used for conventional electrical outlets in most buildings) on a 110- or 120-volt AC circuit while drawing 1.9-3.2 kW to supply approximately 2-5 miles of range gained per hour of charging.

LOW-POWER LEVEL 2: Charging level for **EVs** that operates on a dedicated 20-amp breaker on a 208- or 240-volt AC circuit while drawing 3.3-6.1 kW to supply approximately 15+ miles of range gained per hour of charging.

LEVEL 2: Charging level for **EVs** that operates on a dedicated 40- to 100-amp breaker (same kind used by a clothes dryer or stove) on a 208- or 240-volt AC circuit while drawing 6.2+ kW to supply 19+ miles of range gained per hour of charging.

LEVEL 3: Fast or rapid charging level for **EVs** that operates on a 60-amp or higher breaker on a 480-volt AC electric circuit or higher **three-phase** circuit with special grounding equipment and mounting on an equipment pad.

Lebanon Housing Task Force Update

CATHERYN HEMBREE

Completed:

1. Market Analysis
2. Fiscal Impact Analysis
3. Housing Needs Assessment

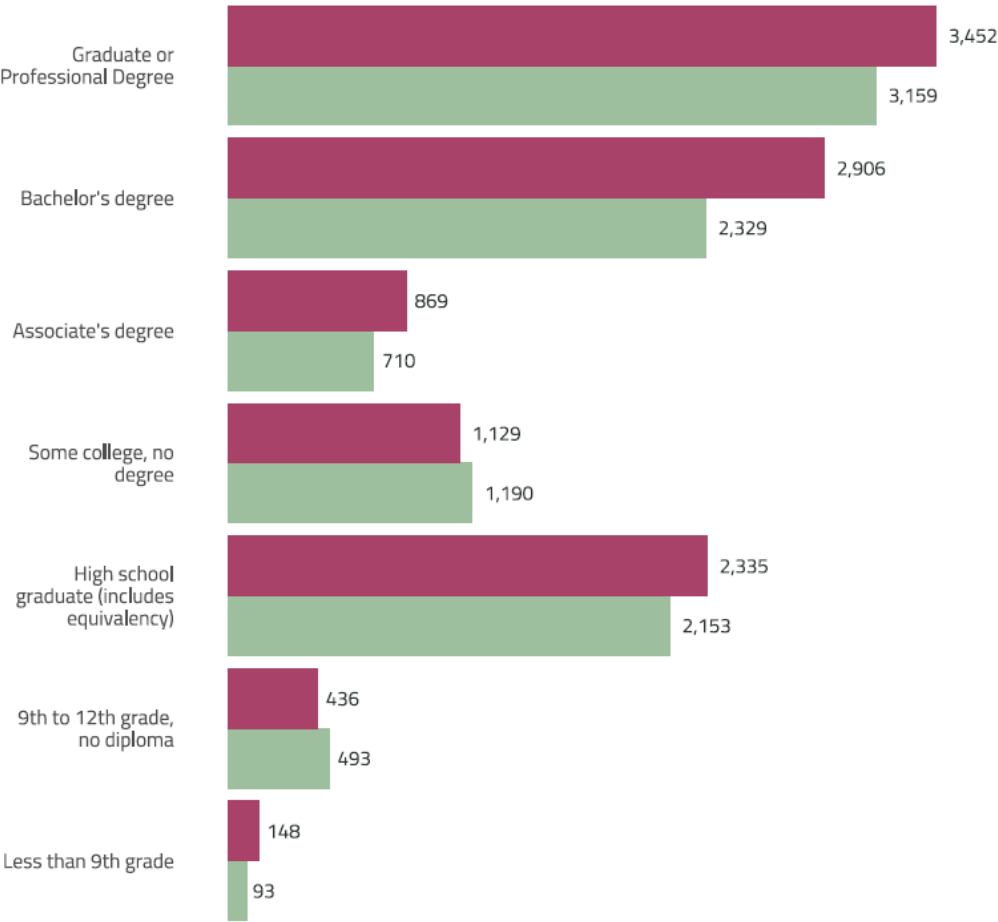
Market Analysis/Housing Needs Assessment

Lebanon Demographics:

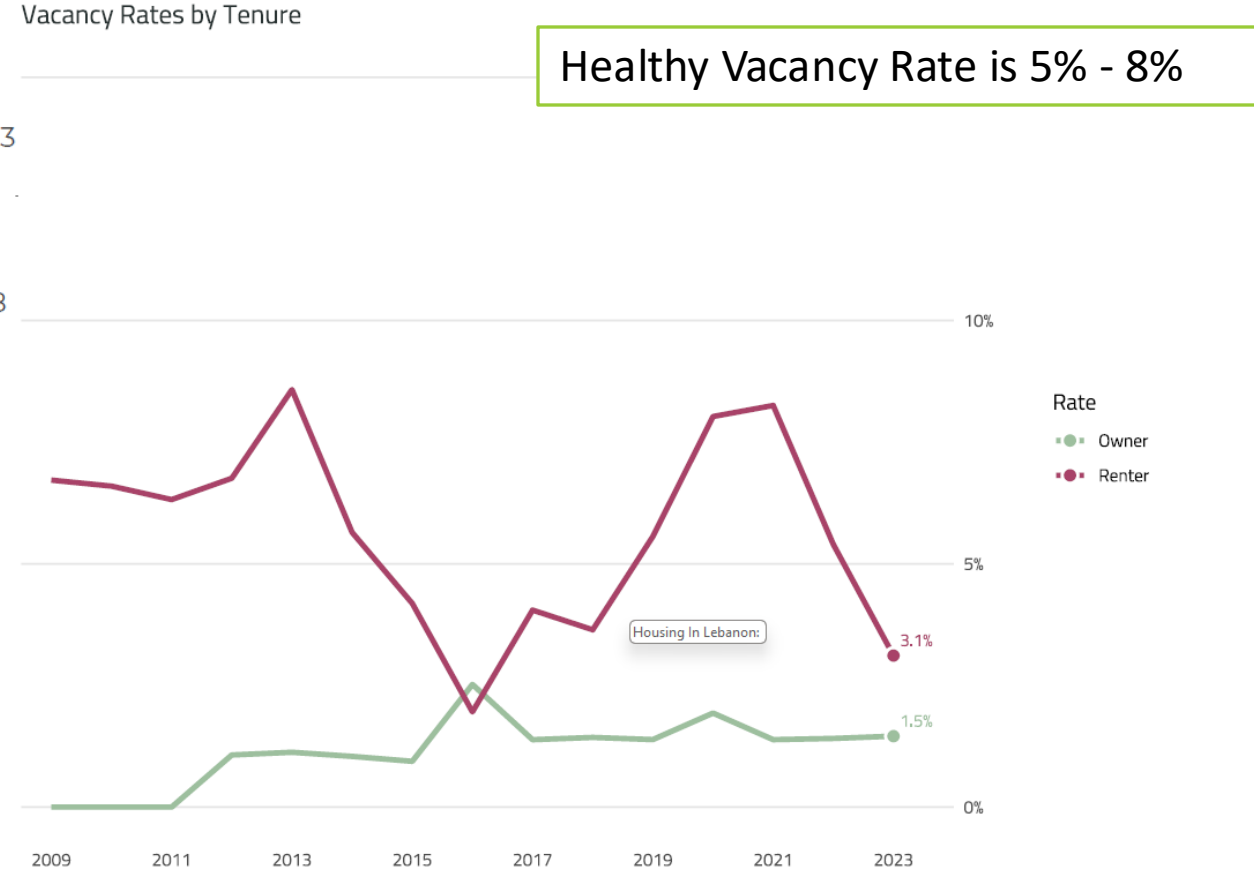
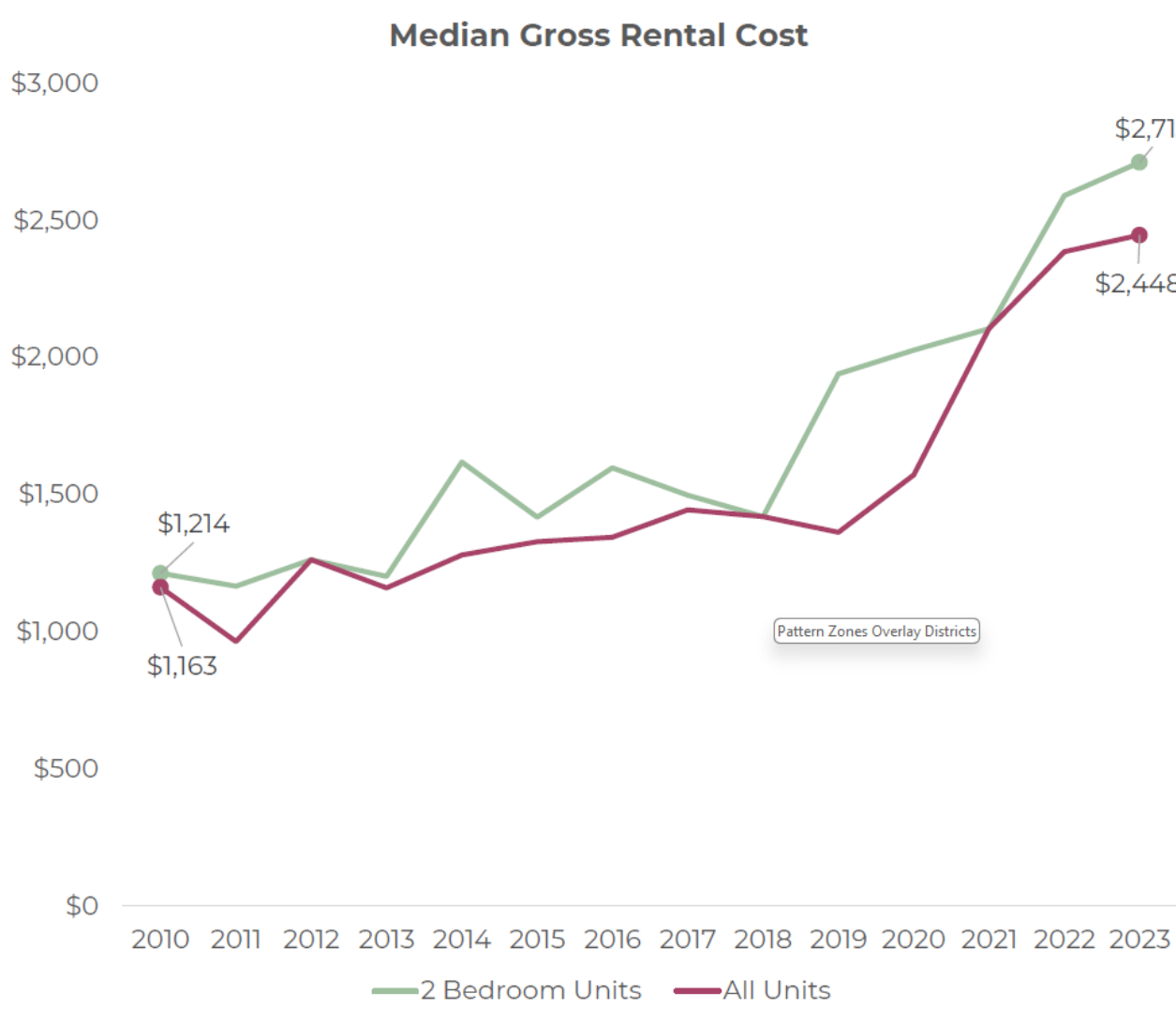
Household Income Distribution

Population: 14,500

Educational Attainment, 25+



Housing In Lebanon:



Source: US Census Bureau ACS 5-Year Estimates, 2018 and 2023

Source: New Hampshire Housing Data, 2025

Average Sale Price in 2024 \$450,000

And when you put it together.....

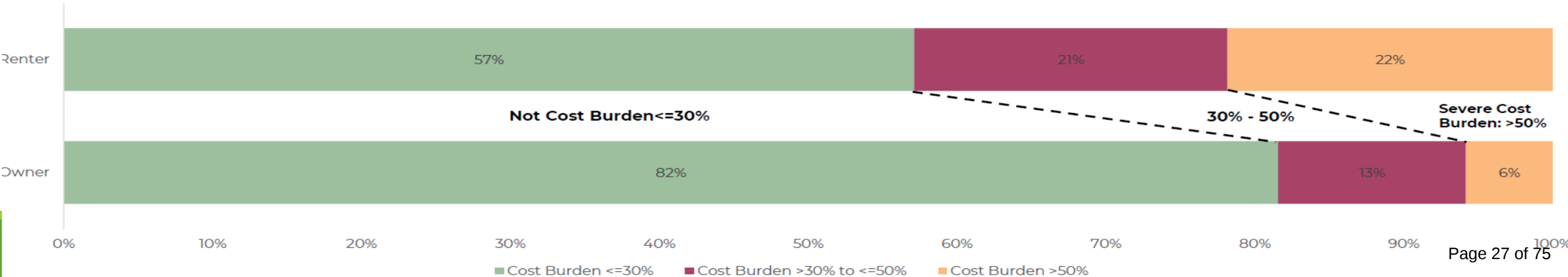
Area Median Income Threshold	Income	Owner Households		Affordable Home Purchase Price			
		#	%	FHA		Conventional	
				Single Family	Condo	Single Family	Condo
30% AMI (Extremely Low Income)	\$29,250	185	5.7%	\$78,660	\$43,602	\$94,886	\$51,175
50% AMI (Very Low Income)	\$48,700	185	5.7%	\$130,965	\$95,907	\$157,981	\$114,270
80% AMI (Low Income)	\$77,900	446	13.8%	\$209,491	\$174,433	\$252,704	\$208,994
100% AMI (Moderate Income)	\$97,400	413	12.8%	\$261,931	\$226,873	\$315,961	\$272,251
120% AMI (Moderate Income)	\$116,880	301	9.3%	\$314,317	\$279,259	\$379,153	\$335,443
Above 120% AMI (Middle Income +)	\$116,881+	1,693	52.5%	\$314,318+	\$279,260+	\$379,154+	\$335,444+

Area Median Income Threshold	Income	Renter Households		Affordable Monthly Rent
		#	%	
30% AMI (Extremely Low Income)	\$26,000	662	20.4%	\$650
50% AMI (Very Low Income)	\$43,300	432	13.3%	\$1,083
80% AMI (Low Income)	\$69,250	561	17.3%	\$1,731
100% AMI (Moderate Income)	\$86,600	278	8.6%	\$2,165
120% AMI (Moderate Income)	\$103,920	257	7.9%	\$2,598
Above 120% AMI (Middle Income +)	\$103,921+	1,054	32.5%	\$2,599+

Housing Market Conditions Cost Burden

KKU

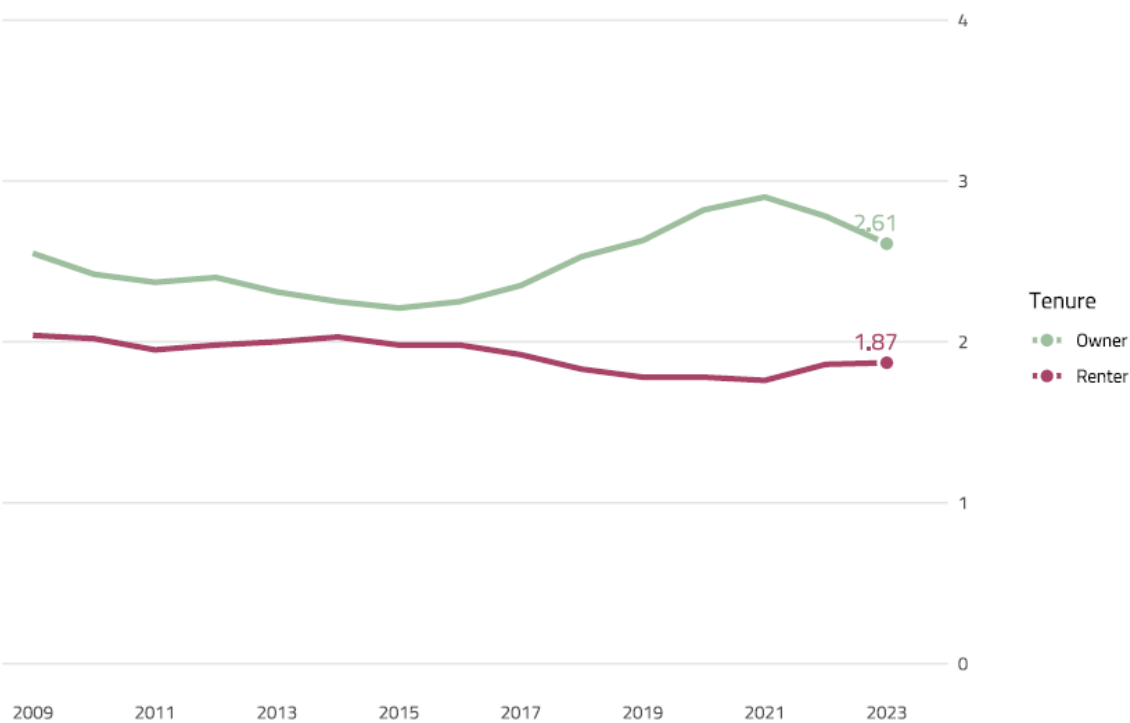
Cost Burden by Tenure, 2017 – 2021



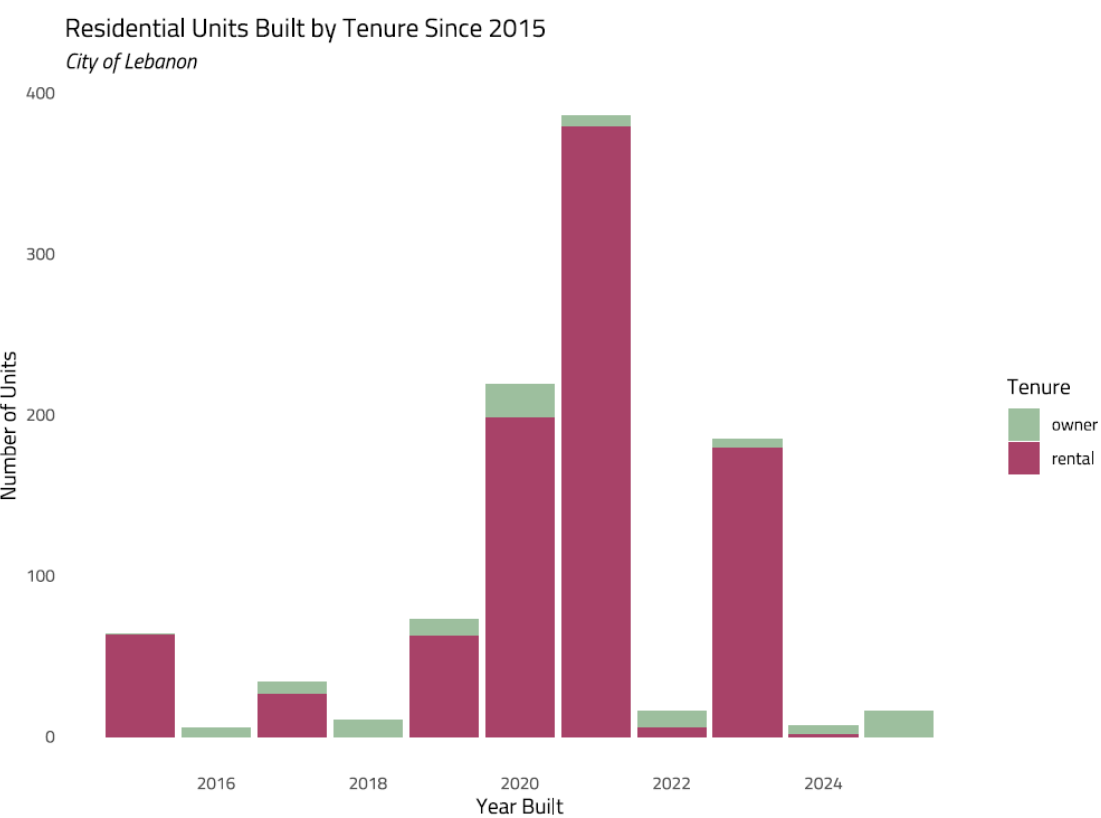
Household size?

In the submarket of Hartford, Norwich, Hanover and Lebanon, 88% of multifamily development has been in Lebanon since 2015, and 65% of the rental units are studios or one-bedroom units. Is the market demanding smaller units, or is what being built changing our demographic data and larger units are still needed just as much or more?

Change in Average Household Size



Since 2015, 1,018 units have been added to the local housing stock.



Fiscal Impact Analysis

Staff asked our consulting team to look at the tax implications of different types of housing being constructed

The reviewed School enrollment & budget, and City budget data to make assumptions about future costs

ESTIMATING IMPACTS – PER UNIT IMPACTS

To test the fiscal impact model, RKG analyzed the impact of 10 units of housing for each typology to illustrate the estimated revenues and costs of new development. The table below describes each housing typology and its impacts.

Estimated Fiscal Impact per 10 Units

Use Type	Gross Property Tax	Gross School Tax	Vehicle Registration Fee	Town Costs	School Costs	Net Fiscal Impact
Single Family Units	\$83,415	\$92,661	\$4,484	-\$13,073	-\$62,885	\$104,602
Townhouse Units	\$56,461	\$62,719	\$4,484	-\$13,073	-\$62,885	\$47,706
Condominium Units	\$56,585	\$62,857	\$4,484	-\$13,073	-\$62,885	\$47,969
Multifamily Rental Units	\$35,428	\$39,356	\$4,484	-\$13,073	-\$41,923	\$24,272

Townhouse and condo units are modeled here to encompass different types of “missing middle” housing such as duplexes, triplexes, side-by-side attached townhomes, or vertical condominium living.

ESTIMATING IMPACTS – PER ACRE IMPACTS

It is important to recognize the land and infrastructure resources required to build single family homes or townhomes compared to multi structures. The density and units per acre are typically much higher for multifamily housing than for single family, meaning the town would realize far more taxable value per acre with multifamily than with single family. This could also help the town focus new housing in locations where infrastructure and services are already available.

Estimated Fiscal Impact per Acre

Use Type	Gross Property Tax	Gross School Tax	Vehicle Registration Fee	Town Costs	School Costs	Net Fiscal Impact
2 Single Family Units	\$16,683	\$18,532	\$897	-\$2,615	-\$20,962	\$12,536
8 Townhouse Units	\$45,169	\$50,175	\$3,587	-\$10,458	-\$62,885	\$25,588
15 Condominium Units	\$84,878	\$94,286	\$6,725	-\$19,609	-\$83,846	\$82,434
15 Multifamily Rental Units	\$53,143	\$59,033	\$6,725	-\$19,609	-\$62,885	\$36,408

Current

- Public Engagement

Events

Farmers Market Tabling

LGBTQ+ Focus Group

Conservation & Housing Talk

Lebanon Housing Authority

Listen Community Lunch

Upper Valley Business Alliance/Young Professionals

Senior Center

PTO Meetings

DEI Commission

DHMC

Rotary Club

Health & Human Services Pop-Up Clinic

Library Tabling

**Tell us your thoughts
on housing!**



**Who do you feel is seeking housing in Lebanon and
having trouble doing so?**

Place a dot sticker in the right-hand column.

College Students	
Young Professionals	
Families	
Existing Residents	
Retirees/Seniors	
Trade Workers/ Essential Workers	
Former Residents who hope to return	
Others?	

**What housing types does Lebanon need more of in
the future?**

Place a dot sticker in the right-hand column.

Single-Family Homes	
Accessory Dwelling Units	
Duplexes (2-unit)	
Mid-Size Multi-Family Buildings (3-10 units)	
Large-Scale Multi-Family Buildings	
Others?	

Lebanon Needs Your Input!

Lebanon is experiencing a housing shortage, and we
need your input to thoughtfully respond!

Lebanon was awarded a grant
to analyze existing and future
housing needs, and explore
solutions to expand the city's
housing supply with the goal of
increasing diverse and
affordable housing options.

**Please take this survey and share
your housing needs! Learning how
Lebanon's housing issues impact
you will help us make better policy
decisions!**

**[https://www.surveymonkey.com/r/
Lebanon-Community-Housing-
Survey](https://www.surveymonkey.com/r/Lebanon-Community-Housing-Survey)**



SCAN ME



DRAFT

**LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
MONDAY, AUGUST 11, 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)

OTHERS PRESENT: Attorney Chris Boldt (Special Legal Counsel to the Planning Board)

1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:31pm. Mr. Corwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures.

2. NOTICE OF REGIONAL IMPACT

The following applications were received by the Planning and Development Department on or before August 11, 2025:

- **SPNH Mount Support, LLC (Tax Map 24, Lot 1, Plot 100), zoned R-1 & RL-3: Applicant request a conceptual review per Section 4.3.B of the Site Plan Review regulations of a proposed 260-unit residential development consisting of three (3) 4-story multi-family dwellings. PB2025-42-CON**
- **Lebanon Poker Room & Casino, LLC, 369 Miracle Mile (Tax Map 103, Lot 11): The applicant requests a Conditional Use Permit pursuant to Section 607.3.B.2 of the Zoning Ordinance to permit parking spaces in excess of 120% of the minimum required for the existing indoor amusements (Revu Casino) use, and an amendment to the approved site plan to expand the parking lot to add 44 additional parking spaces. PB2025-43-CUPA**
- **192 Mascoma Street, LLC, 192 Mascoma Street (Tax Map 90, Lot 19), zoned R-3: Applicant requests approval of a proposed three (3)-lot Minor Subdivision. PB2025-44-MIN**

Mr. Corwin said he did not feel a Notice of Regional Impact was needed for the application for SPNH Mount Support, LLC (Tax Map 24, Lot 1, Plot 100) PB2025-42-CON because it is a request for a conceptual review. Mr. Corwin said Staff recommends the applications for Lebanon Poker Room & Casino, LLC, 369 Miracle Mile (Tax Map 103, Lot 11) PB2025-43-CUPA and 192 Mascoma Street, LLC, 192 Mascoma Street (Tax Map 90, Lot 19) PB2025-44-MIN do not have the potential for regional impact.

1 ***A MOTION was made by Richard Ford Burley that the applications of Lebanon Poker Room &***
2 ***Casino, LLC, 369 Miracle Mile (Tax Map 103, Lot 11) PB2025-43-CUPA and 192 Mascoma Street,***
3 ***LLC, 192 Mascoma Street (Tax Map 90, Lot 19) PB2025-44-MIN do not have the potential for***
4 ***regional impact. The MOTION was seconded by Jeremy Rutter.***

5
6 ****The MOTION was approved (8-0).***

7
8 **3. PUBLIC HEARING ITEMS**

9 Chair Faunce and Ms. Romano recused themselves from the discussion.

10
11 **A. XYZ Dairy, LLC & Lyme Properties 2, LLC, River Park Drive (Tax Map 44, Lots 21 - 30 &**
12 **7), zoned CB, IND-L and R-3: Applicant requests a two (2)-year extension of the River Park**
13 **Site Plan approval (PB2010-25-SPR), as most recently amended on September 9, 2019**
14 **(PB2018-34-SPA). PB2025-25-EXT - Continued from July 14, 2025**

15
16 Acting Chair Ford Burley said, since this application request was last discussed at a previous Planning
17 Board meeting, the applicant had submitted a great deal of information, and the Board has retained its
18 own legal counsel. He gave a brief overview of the history of the request for a two-year extension.

19
20 Mr. David Clem was present on behalf of the applicant. He submitted a written statement to the Board.

21
22 Acting Chair Ford Burley opened the public comment portion of the meeting.

23
24 Andrew Faunce (Ward 1), Planning Board Chair, made the following statement:

25 "I want to speak very briefly to the matter of my recusal. I'm not commenting in any way, shape or form
26 with respect to the merits of the case. My recusal from the current XYZ extension hearing followed an
27 extensive presentation by the applicant's counsel that was not included in the application materials. As
28 such, I had no benefit of the Planning Board's counsel prior to making this choice. Applicant's counsel
29 argued that I was biased and conflicted and that if I did not recuse, any adverse decision of the board
30 would be challenged.

31
32 While I do not believe the charges made against me have merit, I reasoned that I could not freely engage
33 on this application with the threat of further challenge - and with its potential to limit my and others'
34 exercise of independent judgment - hanging overhead. I concluded by expressing confidence the Board
35 would make a well-reasoned decision on this matter and by thanking the Vice Chair for the opportunity
36 for comment."

37
38 Acting Chair Ford Burley closed the public comment portion of the meeting.

39
40 At 6:42pm, Acting Chair Ford Burley called for a recess to allow the Board members to confer with
41 legal counsel.

42 At 6:57pm, the meeting resumed.

43
44 Acting Chair Ford Burley polled the Board members if they had any objections to continuing the
45 discussion, after having consulted legal counsel. He noted that no Board member objected to continuing
46 the discussion.

1 Mr. Clem asked if the address to which certified mail is being sent by Planning Staff could be changed
2 to the address on the application. Acting Chair Ford Burley said he would look into it.

3
4 Acting Chair Ford Burley closed the public hearing.

5
6 Acting Chair Ford Burley noted for the record that he does not think that Chair Andrew Faunce has done
7 anything improper (in his opinion, which he noted is not a legal opinion). He said he is concerned that
8 his recusal gives the impression of impropriety. Other Board members agreed that Chair Faunce's
9 recusal may not have been necessary, and that Chair Faunce cares for the integrity of the Board.

10
11 Acting Chair Ford Burley asked the Planning Board's legal counsel if he would discuss the court case
12 Fisher v Dover and its potential applicability to the applicant's extension request. Mr. Chris Bolt
13 (Donahue Tucker Chandela), attorney for the Planning Board, said he would not be able to discuss the
14 case due to attorney-client privilege.

15
16 ***A MOTION was made by Richard Ford Burley to waive attorney-client privilege specifically for the***
17 ***answer to the question of the application of Fisher versus Dover in the case of XYZ Dairy, LLC &***
18 ***Lyme Properties 2, LLC, River Park Drive (Tax Map 44, Lots 21 - 30 & 7) PB2025-25-EXT at the***
19 ***current (August 11, 2025) public meeting of the Lebanon Planning Board. The MOTION was***
20 ***seconded by Eric Stacy.***

21
22 ****The MOTION was approved (6-0).***

23
24 Mr. Chris Bolt (Donahue Tucker Chandela), attorney for the Planning Board, gave an overview of the
25 court case Fisher v. Dover and its potential applicability to the applicant's extension request. He said he
26 was not sure how the court would apply the Fisher v. Dover concept to this particular extension request
27 when the larger part of the project hasn't changed and in light of the history of previous extensions
28 granted by the Planning Board.

29
30 The group discussed whether it felt that Fisher v. Dover applies to the current extension application. The
31 group agreed that it does not apply.

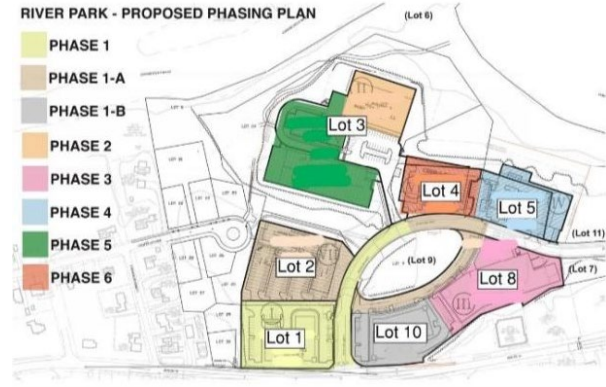
32
33 ***A MOTION was made by Richard Ford Burley that, in the matter of the application of XYZ Dairy,***
34 ***LLC & Lyme Properties 2, LLC, River Park Drive (Tax Map 44, Lots 21 - 30 & 7) requesting a two***
35 ***(2)-year extension of the River Park Site Plan approval (PB2010-25-SPR), as most recently amended***
36 ***on September 9, 2019 (PB2018-34-SPA), and currently listed as PB2025-25-EXT, in light of any***
37 ***subsequent findings included in this motion and the history of this and previous related applications,***
38 ***including any and all submissions and testimony provided for and during the public hearing, the***
39 ***Lebanon Planning Board [APPROVES] the request for a two-year extension, subject to the following***
40 ***Findings and Conditions of Approval:***

41
42 ***FINDINGS***

- 43 ***1. After meeting with independent legal counsel and after public deliberations it is the opinion of the***
44 ***Lebanon Planning Board that existing case law [DOES NOT] robustly support the use of the***
45 ***subsequent application doctrine in the present case at this time.***

2. *At the 9 June 2025 meeting of the Lebanon Planning Board, Chair Andrew Faunce recused himself from the present matter. Regardless of the merits of any claims made in that hearing, it is the opinion of the Lebanon Planning Board that the potential appearance of impropriety given by the recusal [MAY CALL INTO QUESTION] the decision reached by the Board on 17 March 2025.*

3. *At the 17 March 2025 meeting of the Lebanon Planning Board it was agreed that the extension of one phase of the project in question created good cause to extend the remaining phases of the project by the same amount of time, in order to prevent schedule compression conditions for subsequent phases, for which a subsequent request for extension could cite that reduced time to complete that phase as a factor beyond the applicant's control. The Lebanon Planning Board therefore is of the opinion that any extensions to the first phase of the project [SHOULD] include similar extensions to all subsequent phases of the project.*



CONDITIONS OF APPROVAL

1. *Unless subsequently amended by the Planning Board, the Phasing Plan shall be that of the 9 September 2019 Notice of Action, as follows:*
 2. *Phase 1 Improvements: “46,925-square-foot building for office and retail use located on Lot 1 with temporary parking located on Lot 2 and Lot 3. Phase 1 also includes construction of a portion of the development roadway sufficient to access Lot 3, the southerly development entrance intersection, the extension of Crafts Avenue, and the installation of water and sewer lines necessary for this portion of the site.”*
 3. *Phase 1-A Improvements: “125,125-square-foot building for 125 units of multi-family housing located on Lot 2, and the construction of a temporary parking lot on Lot 3 and Lot 4. Phase 1-A also includes the extension of the development roadway and construction of proposed Lyman Street.”*
 4. *Phase 1-B Improvements: “95,800-square-foot building for office and retail use located on Lot 10 with temporary parking on Lot 3, Lot 4, and Lot 5.”*
 5. *Phase 2 Improvements: “178,650-square-foot building for laboratory/office use located on Lot 3 with temporary parking located on Lot 3, Lot 4, and Lot 5. Phase 2 also includes the construction of the remainder of the development roadway and the northerly access intersection.”*
 6. *Phase 3 Improvements: “23,000-square-foot building for office and retail use and a 585-space parking garage located on Lot 8.”*
 7. *Phase 4 Improvements: “153,120-square-foot building for laboratory/office use located on Lot 5.”*
 8. *Phase 5 Improvements: “81,500-square-foot building for laboratory/office use and an 808-space parking garage located on Lot 3.”*
 9. *Phase 6 Improvements: “133,200-square-foot building for laboratory/office use located on Lot 4.”*
- The Lebanon Planning Board hereby approves the following changes to the following conditions of approval set forth in the amended 2019 Notice of Action:*

14-2. *The construction of Phase 1 infrastructure improvements shall be completed before August 11, 2027.*

1 **15-1. The construction of Phase 1-A improvements shall be completed before August 11, 2027.**

2 **16-1. The construction of Phase 1-B improvements shall achieve active and substantial development,**
3 **as defined by Section 8.4 of the Lebanon Site Plan Review Regulations in effect as of the date of this**
4 **ruling, before August 11, 2028 and shall be completed within 5 years of commencement.**

5 **17-1. The construction of Phase 2 infrastructure improvements shall achieve active and substantial**
6 **development, as defined by Section 8.4 of the Lebanon Site Plan Review Regulations in effect as of**
7 **the date of this ruling, before August 11, 2030 and shall be completed within 5 years of**
8 **commencement.**

9 **18-1. The construction of Phase 3 improvements shall achieve active and substantial development, as**
10 **defined by Section 8.4 of the Lebanon Site Plan Review Regulations in effect as of the date of this**
11 **ruling, before August 11, 2032 and shall be completed within 5 years of commencement.**

12 **19-1. The construction of Phase 4 improvements shall achieve active and substantial development, as**
13 **defined by Section 8.4 of the Lebanon Site Plan Review Regulations in effect as of the date of this**
14 **ruling, before August 11, 2034 and shall be completed within 5 years of commencement.**

15 **20-1. The construction of Phase 5 improvements shall achieve active and substantial development, as**
16 **defined by Section 8.4 of the Lebanon Site Plan Review Regulations in effect as of the date of this**
17 **ruling, before August 11, 2036 and shall be completed within 5 years of commencement.**

18 **21-1. The construction of Phase 6 improvements shall achieve active and substantial development, as**
19 **defined by Section 8.4 of the Lebanon Site Plan Review Regulations in effect the date of this ruling,**
20 **before August 11, 2039 and shall be completed within 5 years of commencement.**

21 **29. Effect of Approval. This approval is a final, conditional site plan approval for a “phased**
22 **development” under Section 4.9 of the Site Plan Review Regulations and is a final decision of the**
23 **Planning Board for purposes of RSA 677:15, I. As set forth in Section 4.10(C) of those Regulations,**
24 **the deadlines for the construction of improvements within each phase shall be as stated in the**
25 **approved phasing plan, rather than the 1-year period under Section 4.10(A). It is the intent and effect**
26 **of this approval, subject to the satisfactory completion of the financial security requirements set forth**
27 **in Condition #5 of the Final Major Subdivision approval (#PB2011-01-FMAJ) for the development,**
28 **that upon completion of the Phase 1 infrastructure and the Phase 1-A improvements before August**
29 **11, 2027, as set forth in Conditions #14-2 and #15-1, above, the subdivision as a whole, including all**
30 **phases, shall vest as provided in RSA 674:39, II, and no subsequent changes in subdivision**
31 **regulations, site plan regulations, or zoning ordinances, except impact fees adopted pursuant to RSA**
32 **674:21 and 675:2-4, shall operate to affect this phased development, provided that the applicant and**
33 **its successors-in-interest continue to comply with all conditions of this approval and of the Planning**
34 **Board’s approval of Final Major Subdivision application #PB2011-01-FMAJ, including the time**
35 **limits set forth in the phasing**
36 **plan, unless such a limit is extended for good cause by the Planning Board, acting upon an**
37 **application submitted prior to the expiration of such limit.**

38 **2. The Applicant or Applicant’s designee shall come before the Lebanon Planning Board at the**
39 **Regular Meetings of the Board in February 2026, August 2026, and February 2027 to detail progress**
40 **made toward the phasing plan milestones laid out in this decision. While in-person attendance is**
41 **greatly preferred, in the case of a scheduling conflict progress updates may be submitted in writing by**
42 **the day of the regular planning board meeting of the above dates to planning@lebanonnh.gov.**

43 **3. The Planning Board shall not accept or consider any further applications or applications for**
44 **extensions to this phasing schedule no earlier than the submission deadline for the Regular Meeting**
45 **of the Planning Board in May 2027.**

46

1 ***The MOTION was seconded by Eric Stacy.***

2
3 ****The MOTION was approved (6-0).***

4
5 Chair Faunce and Ms. Romano rejoined the meeting. Chair Faunce appointed Ms. Romano as a regular
6 voting member for this meeting.

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

12
13 Mr. Corwin gave an overview of the project. He said the applicant has asked for several adjustments to
14 the phasing plan they had first proposed in 2021. He said the applicant is not proposing changes to the
15 deadline dates for building permits for each phase. He provided the Board with a document that included
16 the existing phasing plan and the proposed new phasing plan dates.

17
18 Mr. Corwin said the application is complete enough for the Board to accept jurisdiction as commence
19 review.

20
21 ***A MOTION was made by Richard Ford Burley that the application of Marek North, LLC, 402 Mount***
22 ***Support Road (Tax Map 24, Lot 9) PB2025-38-SPA is complete enough for the Planning Board to***
23 ***accept jurisdiction and commence review. The MOTION was seconded by Jeremy Rutter.***

24
25 ****The MOTION was approved (8-0).***

26
27 Mr. Nik Fiore (Engineering Ventures) and Mr. Brenden Gilmore (Saxon Partners) were present on
28 behalf of the applicant. Mr. Fiore said the applicant is requesting the change of a few end dates in the
29 project timeline. He said the limits and the scope of each phase are not changing.

30
31 He said the proposed Phase I changes are: Active and substantial development date changed from
32 November 30, 2025 to April 30, 2026; Substantial Completion date changed from May 31, 2026 to
33 October 31, 2026

34
35 He gave an overview of the work that has been done so far:

- 36
 - Sewer line installed and most of the water lines installed
 - 37 • Several storm water infrastructures installed
 - 38 • Working on foundations for Building 2
 - 39 • Working on prepping for other foundations as well - most underground infrastructure in place

40 Mr. Corwin explained that an applicant for a phased development project has a lot of flexibility to
41 propose how they will phase their development and timelines, including when to obtain building permits
42 for each phase, when active and substantial development for each phase will be achieved, and when
43 substantial completion for each phase of development will be achieved.

44
45 Chair Faunce opened the public comment portion of the meeting. No one from the public spoke.

46 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 SPNH Lebanon North, LLC, PB2025-38-SPA, made pursuant to Section 4.9.F of the Site Plan Review Regulations, requesting modifications to the phasing plan for a 204-unit multi-family development at 402 Mount Support Road (Tax Map 24, Lot 9), zoned R-1, originally approved on February 14, 2022 (PB2021-33-SPR), reapproved on October 9, 2023 (PB2023-34-SPR), and modified on July 8, 2024 (PB2024-28-SPA), 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 the applicant has satisfactorily demonstrated that the applicant's revised phasing plan meets the applicable requirements of Section 4.9.C, Section 4.9.D, and Section 4.10 of the Site Plan Review Regulations.

This approval is subject to the following conditions:

- 1. The applicant shall satisfy and comply with the Notice of Action for PB2021-33-SPR dated February 14, 2022, and all conditions of approval thereof, the Notice of Action for PB2023-34-SPA dated October 9, 2023, and all conditions of approval thereof except as superseded by Condition of Approval #2 below, and the Notice of Action for PB2024-29-SPA dated July 8, 2024, and all conditions of approval thereof except as superseded by Condition of Approval #2 below.***
- 2. Condition #2 set forth in the Planning Board Notice of Action for PB2023-34-SPA dated October 9, 2023, and Condition #2 set forth in the Planning Board Notice of Action for PB2024-29-SPA dated July 8, 2024, are hereby stricken and replaced with the following:***

Pursuant to Section 4.9 of the Site Plan Review Regulations, the project may be constructed in phases per the phasing plan titled, "Project Phasing Plan – Marek 2", prepared by Engineering Ventures, PC, dated 3/15/2024, last revised 7/10/25, EV Project #22715.

The MOTION was seconded by Eric Stacy.

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

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

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

A MOTION was made by Andrew Faunce that the application of 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) PB2025-39-BLAMIN is complete enough for the Planning Board to accept jurisdiction and commence review. The MOTION was seconded by Richard Ford Burley.

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

Mr. Corwin said the applicant provided a revised plan earlier in the day that was provided to the Board on paper at this meeting.

Mr. Dave Fenstermacher (VHB) and Mr. Brenden Gilmore (Saxon Partners) were present on behalf of the applicant. Mr. Fenstermacher said the applicant is requesting a change to the boundary line because of the location of the wildlife corridor that intersects with the project site. He said the applicant also wants to create a new lot along the Mount Support Road frontage of the property for future development. He said making the new lot will accommodate a driveway that meets emergency vehicle access requirements. He said Mr. Gilmore reviewed the plan with the Lebanon Fire Department and they were satisfied with the plan.

Mr. Gilmore explained the reason for the new proposed subdivision is because there is usable property on the right side of the property that could be the site of future development. He said they considered cottage development for that area but no plans have been finalized. Mr. Fenstermacher said the Board will see (during Conceptual Review at its September meeting) that the applicant is proposing additional wildlife corridor improvements. He said the Zoning Board of Adjustments and the Conservation Commission have reviewed and approved the plan for the new lot.

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. He closed the public hearing.

A MOTION was made by Richard Ford Burley that the Lebanon Planning Board approves the application of Marek Lebanon, LLC and SPNH Mount Support, LLC for a proposed Boundary Line Adjustment and Minor Subdivision of Tax Map 24, Lots 1 and 1-100, PB2025-39-BLAMIN, as shown on a plat titled "Subdivision Plan, Map 24, Lots 1 & 1-100," by Vanasse Hangen Brustlin, Inc.

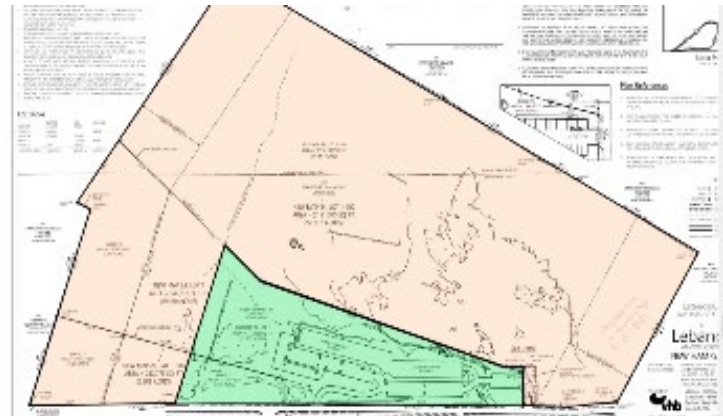


Figure 1: Original plan: green area = project site

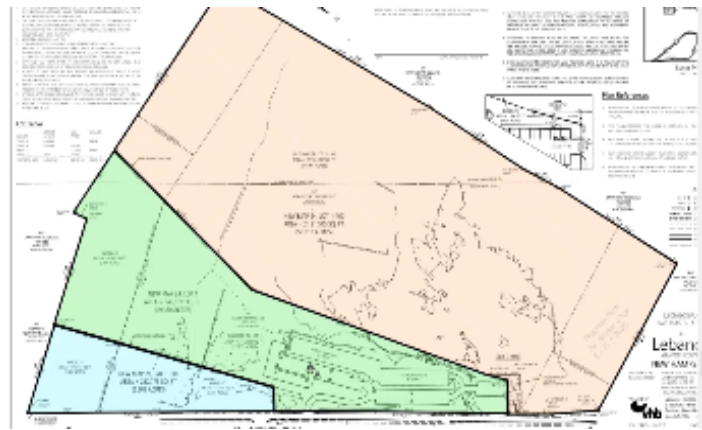


Figure 2: Revised Plan: blue = Lot 1-200

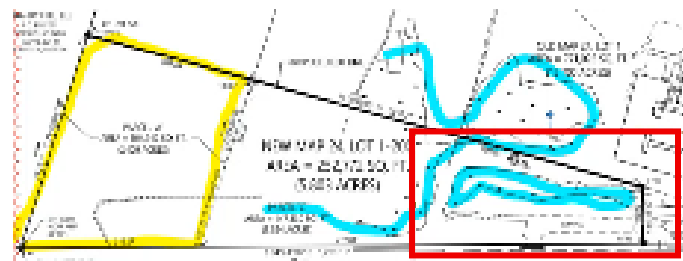


Figure 3: Lot 1-200

Yellow highlighted area = Wildlife Corridor

Blue lines = wetlands areas

Red rectangle = new proposed lot for future development

(VHB), dated June 4, 2025, Project Number 52616.00, including any and all supplemental submissions and testimony provided during the public hearing.

In support of its decision, the Board finds that the applicant has submitted plans, testimony, and technical data prepared by a licensed land surveyor that together satisfactorily demonstrate compliance with the applicable requirements of the Subdivision Regulations except as may reasonably be addressed through the imposition of certain conditions of approval, set forth below. This approval is subject to 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).*

Mr. Corwin suggested that Chair Faunce reopen the public hearing so the Board could have discussion about parameters set forth by new NH Law for the future development of the identified area.

Chair Faunce reopened the public hearing.

Mr. Corwin explained he had sent an email to the Board with information about the new law regarding Tax Map 24, Lot 1-200. He said the new law stipulates that future development shall only be permitted after a full delineation of the wetlands has been completed for the proposed development area of that lot, excluding any areas that are to be left in their natural state and or subject to a wildlife corridor restriction.



Figure 3: Lot 1-200

Yellow highlighted area = Wildlife Corridor

Blue lines = wetlands areas

Red rectangle = new proposed lot for future development

Mr. Fenstermacher noted that the applicant has no plans to develop the areas identified as the Wildlife Corridor and the area directly to the right of it on the map.

1 The group had a lengthy discussion about how to delineate the wetlands in the project area, either
2 through condition of approval or a waiver request. The group decided to make a condition of approval
3 on the plat to delineate the wetlands areas for Lot 1-200 portion of the property.

4
5 Chair Faunce closed the public hearing.

6
7 ***Conditions to be Satisfied Prior to the Signing and Recording of the Plat***

8 ***4. The applicants shall obtain addresses for Lots 24-1-100 and 24-1-200 in accordance with***
9 ***applicable City of Lebanon procedures.***

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

12 ***a. Add a note that any new or relocated driveway will require a Driveway Permit from the***
13 ***Department of Public Works.***

14 ***b. Add lot addresses.***

15 ***c. Add a note that the gravel lot located on Lot 24-1-200 shall not be deemed a legal non-***
16 ***conformity from a use or dimensional standpoint and shall not be the basis for seeking any***
17 ***waivers from the Site Plan Review Regulations in connection with any future development.***

18 ***d. Depict full delineation of the wetlands on Lot 24-1-200 outside of the protected wildlife***
19 ***corridor.***

20 ***e. Add Planning Board application number to the title block (PB2025-39-BLAMIN).***

21 ***f. Provide the date and description of the plat revisions. (9.5.A.1)***

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

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

26 ***8. The applicants shall submit two (2) mylars of the approved plat, as revised pursuant to these***
27 ***conditions of approval, together with applicable recording fees to the Planning & Development***
28 ***Department in accordance with Planning & Development Department recording procedures. (8.1.D &***
29 ***7.11)***

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

33
34 ***The MOTION was seconded by Kathie Romano.***

35
36 Mr. Corwin suggested a motion be made to approve the request for partial waivers at this time.

37
38 ***A MOTION was made by Richard Ford Burley that the Planning Board approve the applicant's***
39 ***request for a partial waiver from Section 9.587 of the Site Plan Review Regulations which requires a***
40 ***delineation of the wetlands on the property. The MOTION was seconded by Kathie Romano.***

41
42 ****The MOTION was approved (8-0).***
43
44

1 ****The MOTION (to approve the application of Marek Lebanon, LLC and SPNH Mount Support, LLC***
2 ***for a proposed Boundary Line Adjustment and Minor Subdivision of Tax Map 24, Lots 1 and 1-100,***
3 ***PB2025-39-BLAMIN) was approved (8-0).***

4
5
6 ***A MOTION was made by Richard Ford Burley that the Lebanon Planning Board authorizes the***
7 ***Chair to sign the plat of Marek Lebanon, LLC and SPNH Mount Support, LLC, PB2025-39-***
8 ***BLAMIN, titled “Subdivision Plan, Map 24, Lots 1 & 1-100,” by VHB, dated June 4, 2025, and as***
9 ***revised per the Planning Board’s conditions of approval. The MOTION was seconded by Kellen***
10 ***Appleton.***

11
12 ****The MOTION was approved (8-0).***

13
14
15 **D. Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3:**
16 **Applicant requests approval of a hauling plan for the Prospect Hills Phase 2 development.**
17 **Submission of the hauling plan is made pursuant to conditions of approval set forth in the**
18 **Planning Board’s June 9, 2025, Notice of Action for PB2025-23-FMAJA. PB2025-40-SP**

19
20 Ms. Appleton recused themselves from the discussion.

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

23
24 ***A MOTION was made by Richard Ford Burley that the application of Brady Sullivan Prospect Hills,***
25 ***LLC, 0 Prospect Street (Tax Map 108, Lot 2) PB2025-40-SP is complete enough for the Planning***
26 ***Board to accept jurisdiction and commence review. The MOTION was seconded by Andrew Faunce.***

27
28 ****The MOTION was approved (7-0).***

29
30 Mr. Corwin gave an overview of the applicant’s project. He said the Board had requested that the
31 applicant provide a hauling plan to address how they intend to remove excess material excavating from
32 the site during regrading of the site. Mr. Corwin said the applicant is making good progress on meeting
33 all the conditions specified by the Board at the June meeting, but he said he would need further detailed
34 review before he could confirm all the requirements have been met. Dr. Rutter noted that Condition #11
35 (related to fencing) does not have a deadline specified.

36
37 Mr. Jon Rokeh, PE, (Rokeh Consulting LLC), and Attorney Marc Pinard (Brady Sullivan General
38 Counsel) were present on behalf of the applicant. Mr. Rokeh gave an overview of the work that the
39 applicant has done since they last came before the Board. He explained the hauling plan options they
40 have submitted. He said the applicant would like to deliver the material to the project underway at the
41 former Densmore Brickyard site but cannot do that until that project attains approval to receive the
42 material.

43
44 The group discussed aspects of the hauling plans that still need to be determined: For example: road
45 closures that may impact the hauling timeline; schools that are on the proposed routes and back-up plans

1 to avoid them during commute times; weight limits on affected roads along the routes. resident
2 complaints.

3
4 Mr. Corwin noted that residents of Elm St. West have not been made aware of the proposed hauling
5 route. He said many residents are already unhappy with the truck traffic on their road. He suggested the
6 route use Glen Road instead of Elm St. West.

7
8 Chair Faunce noted other residents, who spoke at the previous meeting in June, had composed a list of
9 requests to mitigate the impact of the truck traffic during the hauling period. He said it did not appear the
10 following had not been addressed by the proposed plan:

- 11 • Truck speed limit of 15mph
- 12 • Dust management
- 13 • Bike path enforcement – keeping vehicles off the path
- 14 • Barrier gate installed at Hillcrest
- 15 • Routing trucks through the development rather than residential streets (as much as possible)
- 16 • Communication about the project posted at construction site kiosk
- 17 • Online communication (similar to that at kiosk)

18
19 Chair Faunce opened the public comment portion of the meeting.

20
21 Mr. Kevin McLain asked if trucks from this project are going up Daisy Hill Rd. and down Cross Rd. Mr.
22 Rokeh said the only roads being used by this project are Prospect Street and Moulton Ave. Mr. Corwin
23 asked Mr. McLain to contact him directly by email so he could look into which project is generating the
24 truck traffic on Daisy Hill and Cross Roads.

25
26 Ms. Mary Beth Dinulos said she is also concerned about the truck traffic on Daisy Hill Rd. Mr. Corwin
27 asked her to contact him directly via email.

28
29 The group agreed that the applicant should come to a future meeting with a more detailed hauling plan.

30
31 ***A MOTION was made by Richard Ford Burley that the application of Brady Sullivan Prospect Hills,***
32 ***LLC, 0 Prospect Street (Tax Map 108, Lot 2) PB2025-40-SP be continued until the September 8, 2025***
33 ***Planning Board meeting. The MOTION was seconded by Eric Stacy.***

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

36
37 Ms. Appleton rejoined the meeting.

38 39 **4. OTHER BUSINESS**

40 **A. Development Regulations Subcommittee Report - Discussion of Proposed Amendments to the** 41 **Site Plan Review and Subdivision Regulations**

42
43 Dr. Ford Burley said a question arose from the Development Regulations Subcommittee: Is it preferred
44 for applicant maps to be certified by a New Hampshire-permitted septic designer rather than by certified
45 soil scientists?

Mr. Vincent discussed the differences between soil scientists and septic designers. He said a good rule of thumb is to follow state standards. Dr. Ford Burley said the subcommittee would continue to discuss this topic. He noted that the subcommittee did make one change to Section 410: Expiration of Site Plan Approval (relating to granting an extension). He said they changed the language “up to two additional years” to “two additional years” – meaning, if an applicant is granted an extension, it is for two years and not any less.

A MOTION was made by Richard Ford Burley to extend the meeting to 9:40pm. The MOTION was seconded by Kathie Romano.

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

5. APPROVAL OF MINUTES

- **June 9, 2025**
- **June 23, 2025**
- **July 14, 2025**

Dr. Rutter noted he reviewed only a portion of the July 14 meeting minutes. The group decided to wait on approval of the July 14 minutes to give Dr. Rutter a chance to fully review.

A MOTION was made by Richard Ford Burley to approve the June 9, 2025 and June 23, 2025 Planning Board Meeting minutes as presented. The MOTION was seconded by Kellen Appleton.

****The MOTION was approved (6-0, with Rutter and Kennelly abstaining).***

6. ADJOURNMENT

A MOTION was made by Richard Ford Burley to adjourn the meeting at 9:31pm. The MOTION was seconded by Jeremy Rutter.

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

The meeting adjourned at 9:31pm.

Respectfully submitted,
Paula Roux
Recording Secretary

DRAFT

LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
MONDAY, AUGUST 11, 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)

OTHERS PRESENT: Attorney Chris Boldt (Special Legal Counsel to the Planning Board)

1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:31pm. Mr. Corwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures.

2. NOTICE OF REGIONAL IMPACT

The following applications were received by the Planning and Development Department on or before August 11, 2025:

- **SPNH Mount Support, LLC (Tax Map 24, Lot 1, Plot 100), zoned R-1 & RL-3: Applicant request a conceptual review per Section 4.3.B of the Site Plan Review regulations of a proposed 260-unit residential development consisting of three (3) 4-story multi-family dwellings. PB2025-42-CON**
- **Lebanon Poker Room & Casino, LLC, 369 Miracle Mile (Tax Map 103, Lot 11): The applicant requests a Conditional Use Permit pursuant to Section 607.3.B.2 of the Zoning Ordinance to permit parking spaces in excess of 120% of the minimum required for the existing indoor amusements (Revu Casino) use, and an amendment to the approved site plan to expand the parking lot to add 44 additional parking spaces. PB2025-43-CUPA**
- **192 Mascoma Street, LLC, 192 Mascoma Street (Tax Map 90, Lot 19), zoned R-3: Applicant requests approval of a proposed three (3)-lot Minor Subdivision. PB2025-44-MIN**

Mr. Corwin said he did not feel a Notice of Regional Impact was needed for the application for SPNH Mount Support, LLC (Tax Map 24, Lot 1, Plot 100) PB2025-42-CON because it is a request for a conceptual review. Mr. Corwin said Staff recommends the applications for Lebanon Poker Room & Casino, LLC, 369 Miracle Mile (Tax Map 103, Lot 11) PB2025-43-CUPA and 192 Mascoma Street, LLC, 192 Mascoma Street (Tax Map 90, Lot 19) PB2025-44-MIN do not have the potential for regional impact.

1 *A MOTION was made by Richard Ford Burley that the applications of Lebanon Poker Room &*
2 *Casino, LLC, 369 Miracle Mile (Tax Map 103, Lot 11) PB2025-43-CUPA and 192 Mascoma Street,*
3 *LLC, 192 Mascoma Street (Tax Map 90, Lot 19) PB2025-44-MIN do not have the potential for*
4 *regional impact. The MOTION was seconded by Jeremy Rutter.*

5
6 **The MOTION was approved (8-0).*

7
8 **3. PUBLIC HEARING ITEMS**

9 Chair Faunce and Ms. Romano recused themselves from the discussion.

10
11 **A. XYZ Dairy, LLC & Lyme Properties 2, LLC, River Park Drive (Tax Map 44, Lots 21 - 30 &**
12 **7), zoned CB, IND-L and R-3: Applicant requests a two (2)-year extension of the River Park**
13 **Site Plan approval (PB2010-25-SPR), as most recently amended on September 9, 2019**
14 **(PB2018-34-SPA). PB2025-25-EXT - Continued from July 14, 2025**

15
16 Acting Chair Ford Burley said, since this application request was last discussed at a previous Planning
17 Board meeting, the applicant had submitted a great deal of information, and the Board has retained its
18 own legal counsel. He gave a brief overview of the history of the request for a two-year extension.

19
20 Mr. David Clem was present on behalf of the applicant. He submitted a written statement to the Board.

21
22 Acting Chair Ford Burley opened the public comment portion of the meeting.

23
24 Andrew Faunce (Ward 1), Planning Board Chair, made the following statement:

25 “I want to speak very briefly to the matter of my recusal. I’m not commenting in any way, shape or form
26 with respect to the merits of the case. My recusal from the current XYZ extension hearing followed an
27 extensive presentation by the applicant’s counsel that was not included in the application materials. As
28 such, I had no benefit of the Planning Board’s counsel prior to making this choice. Applicant’s counsel
29 argued that I was biased and conflicted and that if I did not recuse, any adverse decision of the board
30 would be challenged.

31
32 While I do not believe the charges made against me have merit, I reasoned that I could not freely engage
33 on this application with the threat of further challenge - and with its potential to limit my and others’
34 exercise of independent judgment - hanging overhead. I concluded by expressing confidence the Board
35 would make a well-reasoned decision on this matter and by thanking the Vice Chair for the opportunity
36 for comment.”

37
38 Acting Chair Ford Burley closed the public comment portion of the meeting.

39
40 At 6:42pm, Acting Chair Ford Burley called for a recess to allow the Board members to confer with
41 legal counsel.

42 At 6:57pm, the meeting resumed.

43
44 Acting Chair Ford Burley polled the Board members if they had any objections to continuing the
45 discussion, after having consulted legal counsel. He noted that no Board member objected to continuing
46 the discussion.

Staff Proposed Edits to Draft 8-11-25 Planning Board Meeting Minutes

Lebanon Planning Board Meeting Minutes, Monday, August 11, 2025

Page 3 of 13

1 Mr. Clem asked if the address to which certified mail is being sent by Planning Staff could be changed
2 to the address on the application. Acting Chair Ford Burley said he would look into it.

3
4 Acting Chair Ford Burley closed the public hearing.

5
6 Acting Chair Ford Burley noted for the record that he does not think that Chair Andrew Faunce has done
7 anything improper (in his opinion, which he noted is not a legal opinion). He said he is concerned that
8 his recusal gives the impression of impropriety. Other Board members agreed that Chair Faunce's
9 recusal may not have been necessary, and that Chair Faunce cares for the integrity of the Board.

10
11 Acting Chair Ford Burley asked the Planning Board's legal counsel if he would discuss the court case
12 Fisher v Dover and its potential applicability to the applicant's extension request. Mr. Chris Bolt
13 (Donahue Tucker Chandela), attorney for the Planning Board, said he would not be able to discuss the
14 case due to attorney-client privilege.

15
16 ***A MOTION was made by Richard Ford Burley to waive attorney-client privilege specifically for the***
17 ***answer to the question of the application of Fisher versus Dover in the case of XYZ Dairy, LLC &***
18 ***Lyme Properties 2, LLC, River Park Drive (Tax Map 44, Lots 21 - 30 & 7) PB2025-25-EXT at the***
19 ***current (August 11, 2025) public meeting of the Lebanon Planning Board. The MOTION was***
20 ***seconded by Eric Stacy.***

21
22 ****The MOTION was approved (6-0).***

23
24 Mr. Chris Bolt (Donahue Tucker Chandela), attorney for the Planning Board, gave an overview of the
25 court case Fisher v. Dover and its potential applicability to the applicant's extension request. He said he
26 was not sure how the court would apply the Fisher v. Dover concept to this particular extension request
27 when the larger part of the project hasn't changed and in light of the history of previous extensions
28 granted by the Planning Board.

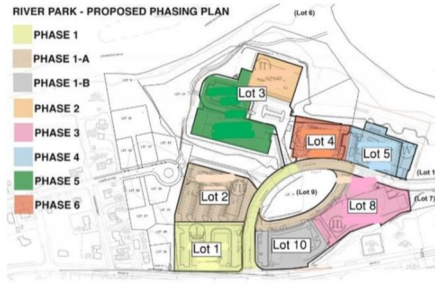
29
30 The group discussed whether it felt that Fisher v. Dover applies to the current extension application. The
31 group agreed that it does not apply.

32
33 ***A MOTION was made by Richard Ford Burley that, in the matter of the application of XYZ Dairy,***
34 ***LLC & Lyme Properties 2, LLC, River Park Drive (Tax Map 44, Lots 21 - 30 & 7) requesting a two***
35 ***(2)-year extension of the River Park Site Plan approval (PB2010-25-SPR), as most recently amended***
36 ***on September 9, 2019 (PB2018-34-SPA), and currently listed as PB2025-25-EXT, in light of any***
37 ***subsequent findings included in this motion and the history of this and previous related applications,***
38 ***including any and all submissions and testimony provided for and during the public hearing, the***
39 ***Lebanon Planning Board [APPROVES] the request for a two-year extension, subject to the following***
40 ***Findings and Conditions of Approval:***

41 ***FINDINGS***

- 42
43 ***1. After meeting with independent legal counsel and after public deliberations it is the opinion of the***
44 ***Lebanon Planning Board that existing case law [DOES NOT] robustly support the use of the***
45 ***subsequent application doctrine in the present case at this time.***

2. At the 9 June 2025 meeting of the Lebanon Planning Board, Chair Andrew Faunce recused himself from the present matter. Regardless of the merits of any claims made in that hearing, it is the opinion of the Lebanon Planning Board that the potential appearance of impropriety given by the recusal [MAY CALL INTO QUESTION] the decision reached by the Board on 17 March 2025.



3. At the 17 March 2025 meeting of the Lebanon Planning Board it was agreed that the extension of one phase of the project in question created good cause to extend the remaining phases of the project by the same amount of time, in order to prevent schedule compression conditions for subsequent phases, for which a subsequent request for extension could cite that reduced time to complete that phase as a factor beyond the applicant's control. The Lebanon Planning Board therefore is of the opinion that any extensions to the first phase of the project [SHOULD] include similar extensions to all subsequent phases of the project.

CONDITIONS OF APPROVAL

1. Unless subsequently amended by the Planning Board, the Phasing Plan shall be that of the 9 September 2019 Notice of Action, as follows:
 2. Phase 1 Improvements: "46,925-square-foot building for office and retail use located on Lot 1 with temporary parking located on Lot 2 and Lot 3. Phase 1 also includes construction of a portion of the development roadway sufficient to access Lot 3, the southerly development entrance intersection, the extension of Crafts Avenue, and the installation of water and sewer lines necessary for this portion of the site."
 3. Phase 1-A Improvements: "125,125-square-foot building for 125 units of multi-family housing located on Lot 2, and the construction of a temporary parking lot on Lot 3 and Lot 4. Phase 1-A also includes the extension of the development roadway and construction of proposed Lyman Street."
 4. Phase 1-B Improvements: "95,800-square-foot building for office and retail use located on Lot 10 with temporary parking on Lot 3, Lot 4, and Lot 5."
 5. Phase 2 Improvements: "178,650-square-foot building for laboratory/office use located on Lot 3 with temporary parking located on Lot 3, Lot 4, and Lot 5. Phase 2 also includes the construction of the remainder of the development roadway and the northerly access intersection."
 6. Phase 3 Improvements: "23,000-square-foot building for office and retail use and a 585-space parking garage located on Lot 8."
 7. Phase 4 Improvements: "153,120-square-foot building for laboratory/office use located on Lot 5."
 8. Phase 5 Improvements: "81,500-square-foot building for laboratory/office use and an 808-space parking garage located on Lot 3."
 9. Phase 6 Improvements: "133,200-square-foot building for laboratory/office use located on Lot 4."
- The Lebanon Planning Board hereby approves the following changes to the following conditions of approval set forth in the amended 2019 Notice of Action:

14-2. The construction of Phase 1 infrastructure improvements shall be completed before August 11, 2027.

Commented [TC1]: Should 2-9 be 1.a through 1.h instead?

Commented [TC2]: Isn't this the start of condition 2?

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15-1. The construction of Phase 1-A improvements shall be completed before August 11, 2027.

16-1. The construction of Phase 1-B improvements shall achieve active and substantial development, as defined by Section 8.4 of the Lebanon Site Plan Review Regulations in effect as of the date of this ruling, before August 11, 2028 and shall be completed within 5 years of commencement.

17-1. The construction of Phase 2 infrastructure improvements shall achieve active and substantial development, as defined by Section 8.4 of the Lebanon Site Plan Review Regulations in effect as of the date of this ruling, before August 11, 2030 and shall be completed within 5 years of commencement.

18-1. The construction of Phase 3 improvements shall achieve active and substantial development, as defined by Section 8.4 of the Lebanon Site Plan Review Regulations in effect as of the date of this ruling, before August 11, 2032 and shall be completed within 5 years of commencement.

19-1. The construction of Phase 4 improvements shall achieve active and substantial development, as defined by Section 8.4 of the Lebanon Site Plan Review Regulations in effect as of the date of this ruling, before August 11, 2034 and shall be completed within 5 years of commencement.

20-1. The construction of Phase 5 improvements shall achieve active and substantial development, as defined by Section 8.4 of the Lebanon Site Plan Review Regulations in effect as of the date of this ruling, before August 11, 2036 and shall be completed within 5 years of commencement.

21-1. The construction of Phase 6 improvements shall achieve active and substantial development, as defined by Section 8.4 of the Lebanon Site Plan Review Regulations in effect the date of this ruling, before August 11, 2039 and shall be completed within 5 years of commencement.

29. Effect of Approval. This approval is a final, conditional site plan approval for a “phased development” under Section 4.9 of the Site Plan Review Regulations and is a final decision of the Planning Board for purposes of RSA 677:15, I. As set forth in Section 4.10(C) of those Regulations, the deadlines for the construction of improvements within each phase shall be as stated in the approved phasing plan, rather than the 1-year period under Section 4.10(A). It is the intent and effect of this approval, subject to the satisfactory completion of the financial security requirements set forth in Condition #5 of the Final Major Subdivision approval (#PB2011-01-FMAJ) for the development, that upon completion of the Phase 1 infrastructure and the Phase 1-A improvements before August 11, 2027, as set forth in Conditions #14-2 and #15-1, above, the subdivision as a whole, including all phases, shall vest as provided in RSA 674:39, II, and no subsequent changes in subdivision regulations, site plan regulations, or zoning ordinances, except impact fees adopted pursuant to RSA 674:21 and 675:2-4, shall operate to affect this phased development, provided that the applicant and its successors-in-interest continue to comply with all conditions of this approval and of the Planning Board’s approval of Final Major Subdivision application #PB2011-01-FMAJ, including the time limits set forth in the phasing plan, unless such a limit is extended for good cause by the Planning Board, acting upon an application submitted prior to the expiration of such limit.

2. The Applicant or Applicant’s designee shall come before the Lebanon Planning Board at the Regular Meetings of the Board in February 2026, August 2026, and February 2027 to detail progress made toward the phasing plan milestones laid out in this decision. While in-person attendance is greatly preferred, in the case of a scheduling conflict progress updates may be submitted in writing by the day of the regular planning board meeting of the above dates to planning@lebanonnh.gov.

3. The Planning Board shall not accept or consider any further applications or applications for extensions to this phasing schedule no earlier than the submission deadline for the Regular Meeting of the Planning Board in May 2027.

Commented [TC3]: Isn’t this condition 3?

Commented [TC4]: Isn’t this condition 4?

1 **The MOTION was seconded by Eric Stacy.**

2
3 ***The MOTION was approved (6-0).**

4
5 Chair Faunce and Ms. Romano rejoined the meeting. Chair Faunce appointed Ms. Romano as a regular
6 voting member for this meeting.

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

12
13 Mr. Corwin gave an overview of the project. He said the applicant has asked for several adjustments to
14 the phasing plan they had first proposed in 2021. He said the applicant is not proposing changes to the
15 deadline dates for building permits for each phase. He provided the Board with a document that included
16 the existing phasing plan and the proposed new phasing plan dates.

17
18 Mr. Corwin said the application is complete enough for the Board to accept jurisdiction and commence
19 review.

20
21 **A MOTION was made by Richard Ford Burley that the application of Marek North, LLC, 402 Mount**
22 **Support Road (Tax Map 24, Lot 9) PB2025-38-SPA is complete enough for the Planning Board to**
23 **accept jurisdiction and commence review. The MOTION was seconded by Jeremy Rutter.**

24
25 ***The MOTION was approved (8-0).**

26
27 Mr. Nik Fiore (Engineering Ventures) and Mr. Brenden Gilmore (Saxon Partners) were present on
28 behalf of the applicant. Mr. Fiore said the applicant is requesting the change of a few end dates in the
29 project timeline. He said the limits and the scope of each phase are not changing.

30
31 He said the proposed Phase I changes are: Active and substantial development date changed from
32 November 30, 2025 to April 30, 2026; Substantial Completion date changed from May 31, 2026 to
33 October 31, 2026

34
35 He gave an overview of the work that has been done so far:

- 36 • Sewer line installed and most of the water lines installed
 - 37 • Several storm water infrastructures installed
 - 38 • Working on foundations for Building 2
 - 39 • Working on prepping for other foundations as well - most underground infrastructure in place
- 40 Mr. Corwin explained that an applicant for a phased development project has a lot of flexibility to
41 propose how they will phase their development and timelines, including when to obtain building permits
42 for each phase, when active and substantial development for each phase will be achieved, and when
43 substantial completion for each phase of development will be achieved.

44
45 Chair Faunce opened the public comment portion of the meeting. No one from the public spoke.

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

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1
2 *A MOTION was made by Richard Ford Burley that the Lebanon Planning Board approves the*
3 *application of ~~SPNH Lebanon~~ Marek North, LLC, PB2025-38-SPA, made pursuant to Section 4.9.F*
4 *of the Site Plan Review Regulations, requesting modifications to the phasing plan for a 204-unit*
5 *multi-family development at 402 Mount Support Road (Tax Map 24, Lot 9), zoned R-1, originally*
6 *approved on February 14, 2022 (PB2021-33-SPR), reapproved on October 9, 2023 (PB2023-34-SPR),*
7 *and modified on July 8, 2024 (PB2024-28-SPA), per application materials submitted and including*
8 *any and all submissions and testimony provided for and during the public hearing.*
9

10 *In support of its decision, the Board finds that the applicant has satisfactorily demonstrated that the*
11 *applicant's revised phasing plan meets the applicable requirements of Section 4.9.C, Section 4.9.D,*
12 *and Section 4.10 of the Site Plan Review Regulations.*
13

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

- 15 1. *The applicant shall satisfy and comply with the Notice of Action for PB2021-33-SPR dated*
16 *February 14, 2022, and all conditions of approval thereof, the Notice of Action for PB2023-34-*
17 *SPA dated October 9, 2023, and all conditions of approval thereof except as superseded by*
18 *Condition of Approval #2 below, and the Notice of Action for PB2024-29-SPA dated July 8, 2024,*
19 *and all conditions of approval thereof except as superseded by Condition of Approval #2 below.*
- 20 2. *Condition #2 set forth in the Planning Board Notice of Action for PB2023-34-SPA dated October*
21 *9, 2023, and Condition #2 set forth in the Planning Board Notice of Action for PB2024-29-SPA*
22 *dated July 8, 2024, are hereby stricken and replaced with the following:*
23

24 *Pursuant to Section 4.9 of the Site Plan Review Regulations, the project may be constructed in*
25 *phases per the phasing plan titled, "Project Phasing Plan – Marek 2", prepared by Engineering*
26 *Ventures, PC, dated 3/15/2024, last revised 7/10/25, EV Project #22715.*
27

28 *The MOTION was seconded by Eric Stacy.*
29

30 **The MOTION was approved (8-0).*
31

32 **C. Marek Lebanon, LLC, 343 Mount Support Road (Tax Map 24, Lot 1) & SPNH Mount**
33 **Support, LLC, 0 Mount Support Road (Tax Map 24, Lot 1, Plot 100), zoned R-1 & RL-3:**
34 **Applicant requests a Boundary Line Adjustment to the existing lot lines and a Minor**
35 **Subdivision of the subject properties into three (3) lots. PB2025-39-BLAMIN**
36

37 Mr. Corwin said the application is complete enough for the Board to accept jurisdiction and commence
38 review.
39

40 *A MOTION was made by Andrew Faunce that the application of Marek Lebanon, LLC, 343 Mount*
41 *Support Road (Tax Map 24, Lot 1) & SPNH Mount Support, LLC, 0 Mount Support Road (Tax Map*
42 *24, Lot 1, Plot 100) PB2025-39-BLAMIN is complete enough for the Planning Board to accept*
43 *jurisdiction and commence review. The MOTION was seconded by Richard Ford Burley.*
44

45 **The MOTION was approved (8-0).*
46

Mr. Corwin said the applicant provided a revised plan earlier in the day that was provided to the Board on paper at this meeting.

Mr. Dave Fenstermacher (VHB) and Mr. Brenden Gilmore (Saxon Partners) were present on behalf of the applicant. Mr. Fenstermacher said the applicant is requesting a change to the boundary line because of the location of the wildlife corridor that intersects with the project site. He said the applicant also wants to create a new lot along the Mount Support Road frontage of the property for future development. He said making the new lot will accommodate a driveway that meets emergency vehicle access requirements. He said Mr. Gilmore reviewed the plan with the Lebanon Fire Department and ~~he~~ they were satisfied with the plan.

Mr. Gilmore explained the reason for the new proposed subdivision is because there is usable property ~~on the right side of the property~~ that could be the site of future development. He said they considered cottage development for that area but no plans have been finalized. Mr. Fenstermacher said the Board will see (during Conceptual Review at its September meeting) that the applicant is proposing additional wildlife corridor improvements. He said the Zoning Board of Adjustments and the Conservation Commission have reviewed and approved the plan for the new lot.

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. ~~He and then~~ closed the public hearing.

A MOTION was made by Richard Ford Burley that the Lebanon Planning Board approves the application of Marek Lebanon, LLC and SPNH Mount Support, LLC for a proposed Boundary Line Adjustment and Minor Subdivision of Tax Map 24, Lots 1 and 1-100, PB2025-39-BLAMIN, as shown on a plat titled "Subdivision Plan, Map 24, Lots 1 & 1-100," by Vanasse Hangen Brustlin, Inc.

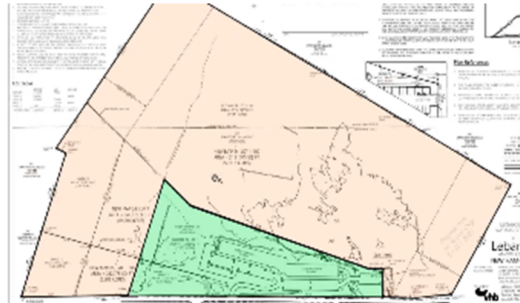


Figure 1: Original plan: green area = project site

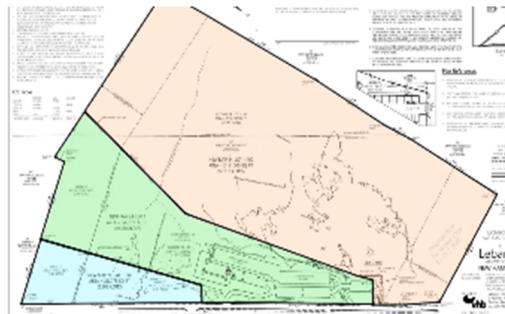


Figure 2: Revised Plan: blue = Lot 1-200



Figure 3: Lot 1-200
Yellow highlighted area = Wildlife Corridor
Blue lines = wetlands areas
Red rectangle = new proposed lot for future development

(VHB), dated June 4, 2025, Project Number 52616.00, including any and all supplemental submissions and testimony provided during the public hearing.

In support of its decision, the Board finds that the applicant has submitted plans, testimony, and technical data prepared by a licensed land surveyor that together satisfactorily demonstrate compliance with the applicable requirements of the Subdivision Regulations except as may reasonably be addressed through the imposition of certain conditions of approval, set forth below. This approval is subject to 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).

~~Mr. Corwin suggested that~~ Chair Faunce reopened ~~the public hearing in order to discuss a potential condition of approval requiring a partial delineation of the wetlands on the new lot, so the Board could have discussion about parameters set forth by new NH Law for the future development of the identified area.~~

Chair Faunce reopened the public hearing.

Mr. Corwin explained he had sent an email to the Board with information about the new law regarding Tax Map 24, Lot 1-200. He said the new law stipulates that ~~noted that as required by the Site Plan Review Regulations, future development shall only be permitted after a full delineation of the wetlands has been completed for the proposed development area of that lot, excluding any areas that are to be left in their natural state and or subject to a wildlife corridor restriction.~~



Figure 3: Lot 1-200
Yellow highlighted area = Wildlife Corridor
Blue lines = wetlands areas
Red rectangle = new proposed lot for future development

Mr. Fenstermacher noted that the applicant has no plans to develop the areas identified as the Wildlife Corridor and the area directly to the right-north of it on the map.

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The group had a lengthy discussion about how to delineate the wetlands in the project area, either through either a condition of approval or a waiver request. The group decided to make a condition of approval on the plat to delineate the wetlands areas for the proposed Lot 1-200 ~~portion of the property~~.

Chair Faunce closed the public hearing.

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

4. The applicants shall obtain addresses for Lots 24-1-100 and 24-1-200 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 located on Lot 24-1-200 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 Lot 24-1-200 outside of the protected wildlife corridor.

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.

The MOTION was seconded by Kathie Romano.

Mr. Corwin suggested a motion be made to approve the request for partial waivers at this time.

A MOTION was made by Richard Ford Burley that the Planning Board approve the applicant's request for a partial waiver from Section 9.5.87 of the Site Plan Review Regulations which requires a delineation of the wetlands on the property. The MOTION was seconded by Kathie Romano.

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

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1 **The MOTION (to approve the application of Marek Lebanon, LLC and SPNH Mount Support, LLC*
2 *for a proposed Boundary Line Adjustment and Minor Subdivision of Tax Map 24, Lots 1 and 1-100,*
3 *PB2025-39-BLAMIN) was approved (8-0).*

4
5
6 *A MOTION was made by Richard Ford Burley that the Lebanon Planning Board authorizes the*
7 *Chair to sign the plat of Marek Lebanon, LLC and SPNH Mount Support, LLC, PB2025-39-*
8 *BLAMIN, titled "Subdivision Plan, Map 24, Lots 1 & 1-100," by VHB, dated June 4, 2025, and as*
9 *revised per the Planning Board's conditions of approval. The MOTION was seconded by Kellen*
10 *Appleton.*

11
12 **The MOTION was approved (8-0).*

13
14
15 **D. Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2), zoned R-3:**
16 **Applicant requests approval of a hauling plan for the Prospect Hills Phase 2 development.**
17 **Submission of the hauling plan is made pursuant to conditions of approval set forth in the**
18 **Planning Board's June 9, 2025, Notice of Action for PB2025-23-FMAJA. PB2025-40-SP**

19
20 Ms. Appleton recused themselves from the discussion.

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

23
24 *A MOTION was made by Richard Ford Burley that the application of Brady Sullivan Prospect Hills,*
25 *LLC, 0 Prospect Street (Tax Map 108, Lot 2) PB2025-40-SP is complete enough for the Planning*
26 *Board to accept jurisdiction and commence review. The MOTION was seconded by Andrew Faunce.*

27
28 **The MOTION was approved (7-0).*

29
30 Mr. Corwin gave an overview of the applicant's project. He said the Board had requested that the
31 applicant provide a hauling plan to address how they intend to remove excess material ~~excavating~~
32 ~~excavated~~ from the site during regrading of the site. Mr. Corwin said the applicant is making good
33 progress on meeting all the conditions specified by the Board at the June meeting, but he said he would
34 need further detailed review before he could confirm all the requirements have been met. Dr. Rutter
35 noted that Condition #11 (related to fencing) does not have a deadline specified.

36
37 Mr. Jon Rokeh, PE, (Rokeh Consulting LLC), and Attorney Marc Pinard (Brady Sullivan General
38 Counsel) were present on behalf of the applicant. Mr. Rokeh gave an overview of the work that the
39 applicant has done since they last came before the Board. He explained the hauling plan options they
40 have submitted. He said the applicant would like to deliver the material to the project underway at the
41 former Densmore Brickyard site but cannot do that until that project ~~attains-secures~~ approval to receive
42 the material.

43
44 The group discussed aspects of the hauling plans that still need to be determined: ~~For example; including~~
45 road closures that may impact the hauling timeline; schools that are on the proposed routes and back-up

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plans to avoid them during commute times; weight limits on affected roads along the routes; and residents' complaints.

Mr. Corwin noted that residents of Elm St. West have not been made aware of the proposed hauling route. He said many residents are already unhappy with the truck traffic on their road. He suggested the route use Glen Road instead of Elm St. West.

Chair Faunce noted that other residents, who spoke at the previous meeting in June, had composed a list of requests to mitigate the impact of the truck traffic during the hauling period. He said it did not appear that the following had ~~not~~ been addressed by the proposed plan:

- Truck speed limit of 15mph
- Dust management
- Bike path enforcement – keeping vehicles off the path
- Barrier gate installed at Hillcrest
- Routing trucks through the development rather than residential streets (as much as possible)
- Communication about the project posted at construction site kiosk
- Online communication (similar to that at kiosk)

Chair Faunce opened the public comment portion of the meeting.

Mr. Kevin McLain asked if trucks from this project are going up Daisy Hill Rd. and down Cross Rd. Mr. Rokeh said the only roads being used by this project are Prospect Street and Moulton Ave. Mr. Corwin asked Mr. McLain to contact him directly by email so he could look into which project is generating the truck traffic on Daisy Hill and Cross Roads.

Ms. Mary Beth Dinulos said she is also concerned about the truck traffic on Daisy Hill Rd. Mr. Corwin asked her to contact him directly via email.

The group agreed that the applicant should come to a future meeting with a more detailed hauling plan.

A MOTION was made by Richard Ford Burley that the application of Brady Sullivan Prospect Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2) PB2025-40-SP be continued until the September 8, 2025 Planning Board meeting. The MOTION was seconded by Eric Stacy.

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

Ms. Appleton rejoined the meeting.

4. OTHER BUSINESS

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

Dr. Ford Burley said a question arose from the Development Regulations Subcommittee: Is it preferred for applicant maps to be certified by a New Hampshire-permitted septic designer rather than by certified soil scientists?

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Mr. Vincent discussed the differences between soil scientists and septic designers. He said a good rule of thumb is to follow state standards. Dr. Ford Burley said the subcommittee would continue to discuss this topic. He noted that the subcommittee did make one change to Section 410: Expiration of Site Plan Approval (relating to granting an extension). He said they changed the language “up to two additional years” to “two additional years” – meaning, if an applicant is granted an extension, it is for two years and not any less.

A MOTION was made by Richard Ford Burley to extend the meeting to 9:40pm. The MOTION was seconded by Kathie Romano.

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

5. APPROVAL OF MINUTES

- June 9, 2025
- June 23, 2025
- July 14, 2025

Dr. Rutter noted ~~that he had reviewed only a portion of the July 14 meeting minutes. The group decided to wait on approval of the July 14 minutes to give Dr. Rutter a chance to fully review.~~

A MOTION was made by Richard Ford Burley to approve the June 9, 2025 and June 23, 2025 Planning Board Meeting minutes as presented. The MOTION was seconded by Kellen Appleton.

**The MOTION was approved (6-0, with Rutter and Kennelly abstaining).*

6. ADJOURNMENT

A MOTION was made by Richard Ford Burley to adjourn the meeting at 9:31pm. The MOTION was seconded by Jeremy Rutter.

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

The meeting adjourned at 9:31pm.

Respectfully submitted,
Paula Roux
Recording Secretary

DRAFT

**LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
MONDAY, AUGUST 25, 2025 6:30PM**

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

MEMBERS ABSENT: Kellen Appleton, Steven Kohler (alt)

STAFF PRESENT: Tim Corwin (Deputy Planning Director), Nathan Reichert (Director of Planning & Development), Catheryn Hembree (Associate Planner, Planning Department)

1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:30pm. Mr. Corwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures. Chair Faunce introduced Mr. Wes Ashford and Mr. Don Collins as new regular Planning Board members and Mr. Steven Kohler (not present) as a new alternate Planning Board member. He appointed Ms. Romano as a regular voting member for this meeting.

2. STUDY ITEMS

A. Review and Adoption of 2026-2-31 Capital Improvement Project (CIP)

Mr. Corwin gave an overview of the CIP process. He noted that the Planning Board had asked for more information about the following projects/topics in previous meetings:

- Fire Station 2 Replacement project
- Large Groundwater Well and Water Treatment Facility project
- Explanation of why so many rotary projects proposed/approved
- Reason behind cost of sidewalk projects

Mr. Corwin noted that the SAU 88 School District group had submitted its CIP list to the Staff last week. He said the Board was being asked to approve and adopt the 6-year CIP at this meeting.

Fire Department Chief Jim Wheatley gave an overview of the history, status, and scope of the Fire Station 2 project. He explained the reason Lebanon has two fire stations is because it is impossible for responders coming from one station to arrive at all Lebanon homes/businesses within 6 minutes (the standard arrival time). The group discussed the access road that had been proposed near Sachem Village. DPW Director Jay Carelli said the cost of that project was too high and Deputy City Manager David Brooks said it is no longer on the CIP list.

Mr. Carelli gave an overview of the Large Groundwater Well and Water Treatment Facility project. He said the site for the proposed well is on Market Street behind Hannaford Market. He said an (Intermunicipal Agreement) IMA has been signed with Hanover and another IMA with

1 the Town of Hartford is being discussed. He said there would be no cross contamination with the
2 sewer despite its proximity to the proposed well site. He said the water is very clean out of the
3 treatment plant but is not drinkable. He discussed the use of the second well as an emergency
4 backup as opposed to the main water source. He discussed the costs of cleaning the current
5 treatment plant as opposed to installing the new well. The group discussed the possibility of
6 “selling” water to other towns/municipalities. Mr. Carelli said the City continues to seek funding
7 sources for the project.
8

9 Mr. Carelli said the cost of materials used to build sidewalks has increased in tandem with the
10 overall shift (increase) in construction costs. He said the bidding process is competitive. City
11 Engineer Brian Vincent explained that a recent sidewalk project on Route 120 near Etna Rd was
12 a simple project and that may account for the lesser cost of sidewalk installment. He said extra
13 funds in the budget were used for that project (at the suggestion of the former City Manager).
14

15 Mr. Carelli explained that many rotary projects have been proposed and implemented as
16 solutions for difficult intersections within the City. Mr. Vincent explained how pedestrian and
17 bicycle traffic is managed around roundabouts. The group discussed the roundabout project at
18 Jones Crossing (High Street/Mascoma Street/Mechanic Street).
19

20 [At 7:41, Ms. Zook arrived.]
21

22 Chair Faunce invited Mr. Dan Nash (Ward 1) to speak about a letter he sent to Staff regarding
23 several CIP projects:
24

- 25 • Route 120 Pedestrian Crossing: Mr. Nash suggested an alternate route using Old Etna Road
26 and a tunnel under Route 120 instead of the proposed push button for pedestrians.
27
- 28 • Mechanic Street/Slayton Hill Rd roundabout: Mr. Nash suggested building an alternate
29 roadway using part of the playground area of a nearby childcare center
30
- 31 • Roundabout at Jones Crossing: Mr. Nash suggested leaving it as it is and just eliminate the
32 left-hand turns onto Mechanic Street and add larger islands. He said a petition had been
33 signed by many Lebanon residents to discontinue the rotary project. City Engineer Rod
34 Finley gave a status of the project. Mr. Carelli said a large amount of money (roughly equal
35 to the cost to finish the project) would have to be paid back to the state if the project were
36 discontinued. Deputy City Manager Brooks said the amount was about \$900,000.
37

38 Deputy City Manager Brooks said Attorney Barry Schuster has been working on behalf of the
39 City with the Surface Transportation Board to enable the City to continue the Mascoma River
40 Greenway Rail Trail over the proposed 3.5 mile section into West Lebanon.
41

42 The group discussed whether it would adopt the CIP as presented. Chair Faunce said there is no
43 mention in the draft motion (prepared by Staff) about the cost impact to residents. The group
44 agreed to continue discussion of the adoption/approval of the CIP to the September 8, 2025
45 Planning Board meeting to give Staff time to update the draft motion.
46

47 **B. Review of Proposed 2026 Zoning Amendments**

48 Mr. Reichert, Ms. Hembree, and Mr. Corwin gave overviews of the proposed amendments to the
49 following sections of the zoning ordinance:

- Historic District
- Signs
- Pattern Zones Overlay District
- Statutory – Manufactured Homes, Multifamily Residential, Residential Parking, ADUs
- Miscellaneous / Technical
- Food Truck Ordinance
- Northern Lebanon
- Cottage Cluster
- EV Regulations

A MOTION was made by Andrew Faunce to extend the meeting to 9:40pm. The MOTION was seconded by Richard Ford Burley.

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

3. COMMITTEE REPORTS

Chair Faunce said the Housing Task Force has scheduled some public engagement sessions and also plans to have a table at the Farmers Markets on several upcoming Thursdays. He said the next Housing Task Force meeting will be the third Monday in September.

4. OTHER BUSINESS

Chair Faunce said the Planning Board training/development is being planned for the first week of September.

5. APPROVAL MINUTES – July 14, 2025

A MOTION was made by Jeremy Rutter to approve the July 14, 2025 Planning Board Meeting minutes as presented. The MOTION was seconded by Richard Ford Burley.

**The MOTION was approved (8-0, with Collins abstaining).*

6. ADJOURNMENT

A MOTION was made by Richard Ford Burley to adjourn the meeting at 9:37pm. The MOTION was seconded by Kathie Romano.

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

The meeting adjourned at 9:37pm.

Respectfully submitted,
Paula Roux
Recording Secretary

FINAL

**LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
MONDAY SEPTEMBER 08, 2025 6:30PM**

MEMBERS PRESENT: Andrew Faunce (Chair), Richard Ford Burley (Vice Chair), Kellen Appleton, Jeremy Rutter, Patrick Kennelly, Karen Zook (City Council Rep), Wes Ashford, Don Collins, Kathie Romano (alt), Steven Cole (alt)

MEMBERS ABSENT: Eric Stacy

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

1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:31pm. Mr. Corwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures.

2. NOTICE OF REGIONAL IMPACT

Mr. Corwin said no applications were received by the application deadline (September 08, 2025).

3. PUBLIC HEARING ITEMS

A. 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 - Continued from August 11, 2025

Mr. Corwin said the applicant requested the discussion be continued to the September 22, 2025 meeting. He said Staff received the following request by Jon Rokeh (engineer) on behalf applicant, on September 4, 2025 at 3pm. He said the request was emailed to the Board on September 4.

Dear members of the Lebanon Planning Board- Please let this email serve as our official request to be continued for the September 8th 2025 Planning Board meeting. We just received the new aerial and lidar information about the current levels of the stockpiles on site today from JE Bollinger, who is a surveyor and will not have the remaining quantities determined before the Planning Board meeting. We also would like the additional time to get a final resolution on the Brickyard project so we can put timelines together. Based on one of your (Mr. Corwin) emails, you indicated that the Brickyard may be back online for construction and able to receive material in late September. If this works out, it will fit perfectly with our timelines as well.

Thank you for your consideration of this request.

1 Chair Faunce appointed Mr. Cole and Ms. Romano as voting members for this discussion.

2
3 ***A MOTION was made by Richard Ford Burley to continue discussion of Brady Sullivan Prospect***
4 ***Hills, LLC, 0 Prospect Street (Tax Map 108, Lot 2) PB2025-40-SPA to the October 13, 2025 Planning***
5 ***Board meeting at 6:30pm. The MOTION was seconded by Jeremy Rutter.***

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

8
9 **B. SPNH Mount Support, LLC, Mount Support Road (Tax Map 24, Lot 1, Plot 100), zoned R-1 &**
10 **RL-3: Applicant requests conceptual review per Section 4.3.B of the Site Plan Review**
11 **Regulations of a proposed 260-unit residential development consisting of three (3) 4-story**
12 **multi-family dwellings. PB2025-42-CON**

13 Mr. Corwin said new procedures related to Conceptual Reviews require that the City's other Land Use
14 Boards (Conservation Commission and Zoning Board of Appeals) are to be noticed two weeks after the
15 application deadline. He said in order to meet that requirement, the conceptual review before the
16 Planning Board needs to be pushed back to the September 22, 2025 Planning Board meeting. He said the
17 applicant agreed to wait until that meeting. Mr. Cole and Ms. Romano participated as voting members
18 for this discussion.

19
20 ***A MOTION was made by Richard Ford Burley to continue discussion of SPNH Mount Support, LLC,***
21 ***Mount Support Road (Tax Map 24, Lot 1, Plot 100) PB2025-42-CON to the September 22, 2025***
22 ***Planning Board meeting at 6:30pm. The MOTION was seconded by Jeremy Rutter.***

23
24 ****The MOTION was approved (9-0).***

25
26 **C. 192 Mascoma Street, LLC, 192 Mascoma Street (Tax Map 90, Lot 19), zoned R-3: Applicant**
27 **requests approval of a proposed three (3)-lot Minor Subdivision. PB2025-44-MIN**

28 Ms. Romano recused herself from the discussion. Mr. Corwin said the application is complete enough
29 for the Board to accept jurisdiction and commence review.

30
31 ***A MOTION was made by Patrick Kennelly that the application of 192 Mascoma Street, LLC, 192***
32 ***Mascoma Street (Tax Map 90, Lot 19) PB2025-44-MIN is complete enough for the Planning Board***
33 ***to accept jurisdiction and commence review. The MOTION was seconded by Richard Ford Burley.***

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

36
37 Chair Faunce appointed Mr. Cole as a voting member for the discussion.

38
39 Mr. Jordan Romano and Ms. Sue Paynter (Pathways Consulting) were present on behalf of the applicant.
40 Ms. Paynter gave an overview of the project, which involves breaking one lot into three smaller lots. She
41 said the applicant received comments from Staff, particularly Mr. Vincent, and discussed the changes
42 that had been made to the applicant's plan in response to his questions. Ms. Paynter gave the Board
43 copies of a proposed updated plan. Ms. Paynter asked if the proposed location of the driveway was
44 something that could be changed as the design of the project progressed. Mr. Vincent said that would
45 depend on the design of the houses. Mr. Romano noted that the designs have not been finalized. Mr.
46 Corwin discussed the driveway requirements per the Subdivision Regulations. He said the plans could

1 probably be left as they have been presented for now. He said the final driveway location must meet the
2 driveway regulations.

3
4 Ms. Paynter said the City has requested that a City-issued easement for a turnaround space be moved to
5 line up with existing pavement. She asked if the new location of the easement could possibly interfere
6 with a potential second proposed driveway location. Mr. Vincent said the City would review a future
7 new driveway (if added) but he said he did not think there was a requirement that prohibits an additional
8 driveway.

9
10 Ms. Paynter said Staff proposed a Condition of Approval (#3) in its DRAFT motion text related to the
11 installation of a sewer drain. She said they took measurements of the of the rim and the inverts for the
12 existing sewer manhole located near the turn around easement. She said there's about an eight-foot
13 difference between the rim and the invert which would be plenty of slope available to put in a sewer
14 drain. Mr. Corwin agreed that Condition of Approval #3 could be removed based on that information.

15
16 Mr. Romano noted a shed that is currently located on the proposed property lines for the new lots would
17 be removed. Ms. Paynter confirmed the setback issue for the multiple frontages has been resolved. Mr.
18 Corwin said proposed Condition of Approval 4B in the DRAFT motion text (related to the location of
19 the driveway) could be removed based on the revised plan submitted by the applicant.

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

22
23 Mr. Sean Griffin (neighbor) said he is concerned about overflow issues that currently occur with a
24 natural spring located at the back of the property will be a problem if a house is added in that area. He
25 said he is also concerned about the addition of two more buildings and associated traffic and activity on
26 small, narrow streets will make navigation for his truck and trailer more difficult. He said it is already
27 difficult for him to get out of his driveway and another driveway will make it even more challenging.
28 Ms. Paynter explained the proposed 3-lot subdivision plan is within the confines of the buildable space
29 on the lot.

30
31 Mr. Ted Dixon (neighbor) asked about setbacks required to accommodate the fire hydrant on the corner
32 lot. Mr. Romano said the plans for the houses have not yet been finalized, but he said he planned a
33 smaller house to go on that lot. Mr. Vincent said the plans must comply with the required space around
34 fire hydrants, which will be discussed during the permitting process.

35
36 Chair Faunce closed the public comment portion of the meeting. He closed the public hearing.

37
38 ***A MOTION was made by Richard Ford Burley that the Lebanon Planning Board approves the***
39 ***application of 192 Mascoma Street, LLC, for a proposed three (3)-lot Minor Subdivision of 192***
40 ***Mascoma Street (Tax Map 90, Lot 19), zoned R-3, PB2025-44-MIN, as shown on a plat titled***
41 ***"Subdivision Plan for 192 Mascoma Street, LLC, Tax Map 90, Lot 19," prepared by Pathways***
42 ***Consulting, LLC, dated July 31, 2025, Proj. No. 13448, including any and all supplemental***
43 ***submissions and testimony provided during the public hearing.***
44 ***In support of its decision, the Board finds that the applicant has submitted plans, testimony, and***
45 ***technical data prepared by a licensed land surveyor that together satisfactorily demonstrate***

1 *compliance with the applicable requirements of the Subdivision Regulations except as may*
2 *reasonably be addressed through the imposition of certain conditions of approval, set forth below.*
3 *This approval is subject to the following conditions:*

4
5 ***A. General Conditions***

6 ***1. This approval shall be considered void unless all conditions precedent have been met, and the plat***
7 ***has been recorded in the Registry of Deeds, within two (2) years from the date of the Notice of Action***
8 ***(Section 7.12.B). The plat and the driveway easement shall be recorded simultaneously and in***
9 ***accordance with Planning & Development Department procedures.***

10 ***2. Future development on the new lots shall be subject to City of Lebanon Impact Fees, pursuant to***
11 ***Section 213 of the Zoning Ordinance. The Impact Fee shall be calculated at the time of Building***
12 ***Permit issuance based on the Impact Fee Schedule adopted on May 20, 2024, and such fees shall be***
13 ***due and payable at the time of issuance of a Certificate of Occupancy. In accordance with RSA***
14 ***674:39, development shall be exempt from any future changes in impact fees and methodology for***
15 ***five years from the date of approval; however, any building permits which are issued after the end of***
16 ***that five-year period shall be fully subject to whatever impact fees and methodology are in effect at***
17 ***the time of building permit issuance.***

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

20 ***4. All new driveways shall comply with the City of Lebanon Driveway Regulations and, by extension,***
21 ***NHDOT Driveway Regulations, including layout, sight distances, grading and drainage.***

22
23 ***B. Conditions to be Satisfied Prior to the Signing and Recording of the Plat***

24 ***1. Remove the existing shed from Lot 90-19 and obtain a demolition permit from the Planning and***
25 ***Development Department, if required. If relocating the shed, obtain a Building Permit.***

26 ***2. To the satisfaction of the Department of Public Works, prepare a revised turnaround easement***
27 ***deed on proposed Lot 90-19-2 to match the existing paved driveway apron.***

28 ***3. The applicant shall provide a revised plat depicting the following changes to the satisfaction of the***
29 ***Planning and Development Department:***

30 ***a. Remove or relocate shed, as applicable, per condition B.1.***

31 ***b. Provide surveyor's stamp.***

32 ***c. Adjust the City's turnaround easement on Lot 90-19-2, consistent with condition B.2, and***
33 ***rename to "PAVED TURN-AROUND AREA".***

34 ***d. Identify name and mailing addresses of the easement holder(s). (9.5.A.2)***

35 ***e. Adjust setbacks for Lot 90-19-1 in accordance with Section 201.3 of the Zoning Ordinance***
36 ***which requires 20 ft. setbacks along Freeman, Myra, and Mascoma, and a 15 ft. setback along***
37 ***the shared lot line with Lot 90-19.***

38 ***f. Contact the Assessing Department to confirm the proposed tax map/lot number for the new***
39 ***lots are acceptable/correct, and update plat as needed.***

40 ***g. Add a note to the plan that electric, telephone and cable TV distributions systems shall be***
41 ***underground, including services (13.8.C).***

42 ***h. Add a note indicating that the plat was approved pursuant to the City of Lebanon***
43 ***Subdivision Regulations last revised June 28, 2021.***

44 ***i. Add Planning Board number (PB2025-44-MIN).***

1 ***j. Add the following as a plan note: "Lots shall be graded sufficiently to provide adequate***
2 ***drainage for the purpose intended without the diversion of water onto other lots or onto***
3 ***property adjoining the subdivision." (13.3)***

4 ***k. Provide the date and description of the plat revisions. (9.5.A.1)***

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

7
8 ***The MOTION was seconded by Kellen Appleton.***

9
10 ****The MOTION was approved (8-0).***

11
12 ***A MOTION was made by Richard Ford Burley that the Lebanon Planning Board authorizes the***
13 ***Chair to sign the Minor Subdivision plat of 192 Mascoma Street, LLC, PB2025-44-MIN, titled***
14 ***"Subdivision Plan for 192 Mascoma Street, LLC, Tax Map 90, Lot 19," prepared by Pathways***
15 ***Consulting, LLC, dated July 31, 2025, Proj. No. 13448, as revised per the Planning Board's***
16 ***conditions of approval. The MOTION was seconded by Jeremy Rutter.***

17
18 ****The MOTION was approved (8-0).***

19
20 **D. Lebanon Poker Room & Casino, LLC, 369 Miracle Mile (Tax Map 103, Lot 11), zoned GC:**
21 **Applicant requests a Conditional Use Permit pursuant to Section 607.3.B.2 of the Zoning**
22 **Ordinance to allow parking spaces in excess of 120% of the minimum required for the existing**
23 **indoor amusements use (Revo Casino) and an amendment to the site plan, originally approved**
24 **on July 10, 2023 (PB2023-04-SPR), to expand the parking lot to add 44 additional spaces. PB2025-**
25 **43-SPACUP**

26 Ms. Romano rejoined the meeting as a voting member. Chair Faunce appointed Mr. Cole as a voting
27 member for the discussion.

28
29 Mr. Corwin said the application is complete enough for the Board to accept jurisdiction and commence
30 review.

31
32 ***A MOTION was made by Richard Ford Burley that the application of Lebanon Poker Room &***
33 ***Casino, LLC, 369 Miracle Mile (Tax Map 103, Lot 11) PB2025-43-SPACUP is complete enough for***
34 ***the Planning Board to accept jurisdiction and commence review. The MOTION was seconded by***
35 ***Jeremy Rutter.***

36
37 ****The MOTION was approved (9-0).***

38
39 Mr. Corwin said, when the applicant first submitted its site plan application in 2023, Staff had
40 determined that the minimum required number of parking spaces for the proposed use was 99, pursuant
41 to the parking regulations in Section 607 of the Zoning Ordinance. He said, at that time, the applicant
42 was proposing only 93 on-site parking spaces, so, pursuant to section 607.5A of the Zoning Ordinance,
43 the applicant applied for and was granted a Conditional Use permit to use six spaces of off-lot parking at
44 the adjacent property (351 Miracle Mile former location of the Harley-Davidson dealership).

45
46 He said the applicant is now requesting two approvals:

1
2 1. A Conditional Use permit to allow on-site parking in excess of 120% of the minimum required, which
3 would be approximately 120 on-site spaces without the applicant having to seek special approvals from
4 the Planning Board.

5 2. An amendment to the approved site plan to construct a 44-space extension on the west side of the
6 existing on-site parking area
7

8 He recommended that the Planning Board take action to render the 2023 Conditional Use permit void
9 because now that the applicant has space for approx. 120 on-site parking spaces, the 2023 Conditional
10 Use permit is no longer valid.

11
12 [At 7:30pm, Ms. Zook joined the meeting.]
13

14 Mr. Tom Levasseur, Mr. Adam Morse, Mr. Stefan Huba, and Ms. Mara Robinson were present on
15 behalf of the applicant.
16

17 Mr. Morse discussed the waivers being requested. He discussed the amount of pervious and impervious
18 areas in the parking lots and explained the proposed stormwater management plan. Mr. Huba explained
19 why the applicants were unable to create the full number of parking spaces on-site in 2023. He said the
20 applicant has been working with the utility company to move several guide wires, which makes it
21 possible for them to move some of the concrete barriers and make room for more parking spaces, which
22 eliminates the need for that off-site agreement.
23

24 The group discussed the proposed landscaping plan at length. Ms. Robinson said the proposed number
25 of shade trees meets the requirements. The group discussed the actual shade those trees, positioned as
26 proposed, would truly provide in the lot. The group also discussed the wetland requirements that might
27 be impacted by the addition of 44 more spaces in the parking lot.
28

29 Chair Faunce opened the public comment portion of the meeting. No one from the public spoke.
30 Chair Faunce closed the public comment portion of the meeting.
31

32 ***A MOTION was made by Richard Ford Burley as follows:***
33

34 ***At a duly-noticed meeting of the Lebanon Planning Board held on September 8, 2025, there appeared***
35 ***representatives of Lebanon Poker Room & Casino, LLC, regarding 369 Miracle Mile (Tax Map 103,***
36 ***Lot 11), zoned GC, requesting a Conditional Use Permit pursuant to Section 607.3.B.2 of the Zoning***
37 ***Ordinance to allow parking spaces in excess of 120% of the minimum required for the existing indoor***
38 ***amusements use (Revo Casino). PB2025-43-SPACUP***
39

40 ***I. FINDINGS OF FACT***

41 ***Based on testimony given, application materials presented, and supporting documents submitted, the***
42 ***Planning Board makes the following findings of fact:***

- 43 ***1. The property is occupied by the Revo Casino, which is considered an “indoor amusements” use as***
44 ***defined in Appendix A of the Zoning Ordinance.***
45 ***2. The Applicant has determined that more parking is needed to fulfill the parking demand created by***
46 ***the combination of casino guests and employees.***

1 **3. To accommodate this need, the Applicant proposes to construct an additional parking area with 44**
2 **spaces on the western portion of the subject property.**

3 **4. Currently, the subject property has 93 on-site parking spaces which equates to providing 94% of**
4 **the minimum number of parking spaces that are required for the casino use, as determined per**
5 **Section 607.1 of the Zoning Ordinance.**

6 **5. The applicant requests a Conditional Use Permit pursuant to Section 607.3.B.2 of the Zoning**
7 **Ordinance to provide off-street parking spaces in excess of 120% of the minimum number required.**
8 **Adding 44 additional parking spaces will bring the number of on-site parking spaces to 137, which**
9 **equates to 138% of the minimum number of required parking spaces.**

10 **6. In order to grant a Conditional Use Permit to allow 138% of the minimum number of parking**
11 **spaces, the applicant must demonstrate, and the Board must find the applicant's proposal satisfies the**
12 **requirements of Section 607.3.B.2.**

13 14 **II. CONCLUSIONS OF LAW**

15 **As a result of the above findings of fact and based on testimony given, application materials**
16 **presented, and supporting documents submitted, the Planning Board concludes the following with**
17 **respect to the criteria set forth in §607.3.B.2 of the Zoning Ordinance:**

18
19 **1. The need for additional parking cannot reasonably be met through provision of on-street parking**
20 **or shared parking with adjacent or nearby uses. (§607.3.B.2.a)**

21 **2. The proposed development demonstrates that its design and intended uses will continue to support**
22 **high levels of existing or planned transit and pedestrian activity. (§607.3.B.2.b)**

23 **3. The site plan indicates where additional parking can be redeveloped to a more intensive transit**
24 **supportive use in the future. (§607.3.B.2.c)**

25 26 **III. DECISION**

27 **Now therefore be it resolved that the Planning Board, on this 8th day of September, 2025, hereby**
28 **grants the request of Lebanon Poker Room & Casino, LLC for a Conditional Use Permit per**
29 **§607.3.B.2 of the Zoning Ordinance to allow on-site parking spaces equal to 138% of the minimum**
30 **required, as set forth above and per testimony, plans, and materials submitted.**

31
32 **The MOTION was seconded by Don Collins.**

33
34 ***The MOTION was approved (10-0).**

35
36
37 **A MOTION was made by Richard Ford Burley that for the application of Lebanon Poker Room &**
38 **Casino, LLC, PB2025-43-SPACUP, the Lebanon Planning Board approves a waiver from Sections**
39 **6.6, 5.1.E.17, and 5.1.E.18 of the Site Plan Review Regulations (stormwater management submission**
40 **and design requirements). The MOTION was seconded by Jeremy Rutter.**

41
42 ***The MOTION was approved (10-0).**

43 **A MOTION was made by Richard Ford Burley that for the application of Lebanon Poker Room &**
44 **Casino, LLC, PB2025-43-SPACUP, the Lebanon Planning Board approves a waiver from Section**
45 **6.2.B.1-5 of the Site Plan Review Regulations (perimeter landscaping requirements). The MOTION**
46 **was seconded by Wes Ashford.**

1
2 ****The MOTION was approved (10-0).***
3
4

5 ***A MOTION was made by Richard Ford Burley that for the application of Lebanon Poker Room &***
6 ***Casino, LLC, PB2025-43-SPACUP, the Lebanon Planning Board approves a waiver from Section***
7 ***5.1.E.8 of the Site Plan Review Regulations to provide a wetland delineation at the time of application***
8 ***submission. The MOTION was seconded by Kellen Appleton.***
9

10 ****The MOTION was approved (10-0).***
11
12

13 ***A MOTION was made by Richard Ford Burley that the Lebanon Planning Board approves the***
14 ***application of Lebanon Poker Room & Casino, LLC, regarding 369 Miracle Mile (Tax Map 103, Lot***
15 ***11), zoned GC, PB2025-43-SPACUP, for an amendment to the site plan originally approved on July***
16 ***10, 2023 (PB2023-04-SPR), to expand the parking lot to add 44 additional spaces as shown on a plan***
17 ***set titled “369 Miracle Mile – Revo Casino Parking Expansion,” prepared by Engineering Ventures,***
18 ***PC, dated August 11, 2025, Project No. 25122 (13 sheets), including any and all submissions and***
19 ***testimony provided for and during the public hearing.***
20

21 ***In support of its decision, the Board finds that the applicant has submitted plans, testimony, technical***
22 ***data, information, reports, and studies that together satisfactorily demonstrate compliance with the***
23 ***applicable requirements of the Site Plan Review Regulations, except as may reasonably be addressed***
24 ***through the imposition of certain conditions of approval, set forth below, and except as may have***
25 ***been waived pursuant to Section 7.1.***
26

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

28 ***A. General Conditions***

29 ***1. This approval shall automatically expire and be deemed void upon failure to meet any of the***
30 ***conditions of approval set forth herein within the timeframes specified. It shall be the applicant’s***
31 ***responsibility to be familiar with and aware of these conditions of approval, and it shall be the***
32 ***applicant’s responsibility to satisfy these conditions of approval and to satisfy them within the***
33 ***relevant timeframes outlined below.***

34 ***2. This approval supersedes the site plan amendment approved pursuant to a Notice of Action dated***
35 ***March 12, 2007, for PB2007-07.***

36 ***3. The subject property shall continue to comply with and be subject to the Planning Board Notice of***
37 ***Action for PB2023-04-SPR, dated July 10, 2023, and all conditions of approval thereof except as may***
38 ***be superseded by the conditions herein. The plan set identified in the July 10, 2023, Notice of Action,***
39 ***which plan set was further modified pursuant to Section 9.2 of the Site Plan Review Regulations,***
40 ***shall remain in force except as modified pursuant to this approval.***

41 ***4. The development is subject to the Site Plan Review Regulations adopted May 13, 1991, last revised***
42 ***April 28, 2025, and the Zoning Ordinance adopted January 16, 2013, last amended March 19, 2025,***
43 ***which are the regulations in effect at the time the application was submitted. This condition shall***
44 ***supersede condition of approval #2 set forth in the July 10, 2023 Notice of Action for PB2023-04-***
45 ***SPR.***

- 1 **5. "Active and substantial development," as defined in Section 8.4.A.1 of the Site Plan Review**
- 2 **Regulations, shall be achieved within two (2) years of the date of this approval (8.4.A.2), subject to an**
- 3 **extension if applied for by the applicant and if approved by the Planning Board per Section 8.4.A.3. If**
- 4 **active and substantial development is not achieved within two (2) years of the date of the Planning**
- 5 **Board's approval, the development shall be subject to any changes in the City's land use regulations.**
- 6 **6. "Substantial completion," as defined in Section 8.4.B.1 of the Site Plan Review Regulations, shall**
- 7 **be achieved within five (5) years of the date of this approval. If substantial completion is not achieved**
- 8 **within five (5) years of the date of the Planning Board's approval, the development shall be subject to**
- 9 **any changes in the City's land use regulations.**
- 10 **7. All required landscape plantings shall meet the minimum size requirements for such plantings set**
- 11 **forth in Section 6.2.B of the Site Plan Review Regulations at the time of installation.**
- 12 **8. The applicant shall implement and maintain NHDES Site Specific Best Management Practices**
- 13 **before, during, and after construction.**
- 14 **9. Prior to the start of any construction activities on the property, erosion control measures, including**
- 15 **edge-of-disturbance fencing if applicable, shall be installed and maintained before and during any**
- 16 **site work, to be verified by the engineer-of-record.**
- 17 **10. The property owner is responsible for the maintenance and operation of the stormwater**
- 18 **management system in accord with the O&M plan, and such responsibility shall run with the land.**
- 19 **(Section 6.6.H.2.b of the Site Plan Review Regulations).**
- 20 **11. All service areas and facilities including garbage and waste disposal containers, recycling bins,**
- 21 **electrical and mechanical equipment such as transformers and compressors, meter clusters, and**
- 22 **other utility elements must be screened in accordance with Section 6.2.B.8 and Section 6.10.B.5 of the**
- 23 **Site Plan Review Regulations.**
- 24 **12. Changes to underground utilities that do not impact surface conditions may be approved**
- 25 **administratively unless determined by the Reviewing Engineer and the Planning & Development**
- 26 **Department to materially alter the development and the approved site plan, in which case such**
- 27 **changes shall be reviewed pursuant to Article IX of the Site Plan Review Regulations.**
- 28 **13. In lieu of engaging a third-party, the applicant's engineer-of-record shall observe the installation**
- 29 **of the stormwater system, which shall include preparing daily field reports for each field visit**
- 30 **conducted by the engineer-of-record and promptly providing such daily reports to the City Engineer.**
- 31 **14. The Vortech unit for stormwater treatment shall be serviced twice per year by the owner.**

32
33 **B. Conditions to be Satisfied Prior to the Start of Any Construction Activities**

- 34 **1. The applicant shall provide a letter or certification from the engineer of record or other qualified**
- 35 **design professional confirming that the approved plan set meets the accessibility standards of the**
- 36 **State of New Hampshire Building Code, including with respect to the sidewalk proposed along the**
- 37 **north side of the parking lot expansion access drive.**
- 38 **2. The applicant shall perform a wetland delineation in accordance with Section 5.1.E.8 of the Site**
- 39 **Plan Review Regulations and shall provide the same to the Planning & Development Department.**
- 40 **3. The applicant shall demonstrate compliance with the parking lot shading requirements set forth in**
- 41 **Section 6.2.E of the Site Plan Review Regulations to the satisfaction of the Planning & Development**
- 42 **Department.**
- 43 **4. Within 60 days of the Planning Board's approval, the applicant shall make the following revisions**
- 44 **to the plan set to the satisfaction of the Planning and Development Department and the City**
- 45 **Engineer:**

- a. Amend the cover sheet to identify the permitted (maximum) number of parking spaces and the calculations for each (5.1.E.4.e.5).
 - b. Update the parking calculations and notes on the cover sheet to address the revocation of the off-lot parking Conditional Use Permit, PB2023-18-CUP.
 - c. Add a reference to the cover sheet identifying the approved plan set and Planning Board approval that the subject application and plan set is amending.
 - d. Amend the lighting plan to identify the color correlated temperature (CCT) for the proposed lighting fixtures (5.1.E.13).
 - e. Amend the plan set as needed to address accessibility requirements, including with respect to the sidewalk proposed along the north side of the parking lot expansion access drive.
 - f. Update the plan set to call for 4-foot deep sumps on stormwater structures D1, D11 and D12.
 - g. Update the plan set to depict the wetland delineation performed pursuant to Condition B.2 above.
 - h. Amend the cover sheet to provide description of plan revisions (5.1.E.4.d).
- The applicant shall provide the Planning and Development Department with one (1) full size copy of the revised plan set, and a digital copy of the revised plan set saved in a PDF-A format for archival purposes.

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

6. The applicant shall apply for and obtain a Building Permit (if required by the Building Code) and a Zoning Permit per Section 901.1 of the Zoning Ordinance.

C. Conditions to be Satisfied Prior to the Issuance of a Zoning Permit and Building Permit (if required)

1. 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.

D. Conditions to be Satisfied Prior to the Issuance of a Certificate of Completion

1. 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.

2. 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 (10-0).

A MOTION was made by Richard Ford Burley as follows:

On June 12, 2023, the Planning Board approved a Conditional Use Permit pursuant to Section 607.5.A of the Zoning Ordinance to allow off-lot parking at 351 Miracle Mile to meet the minimum parking requirements of the casino use at 369 Miracle Mile, PB2023-18-CUP, based in part on the following conclusion of law, as required by Section 607.5.A.1: "The minimum number of required

1 *off-street parking spaces as calculated per Section 607.4 cannot be feasibly be accommodated on-*
2 *site.” Pursuant to the approval of PB2025-43-SPACUP, the minimum number of parking spaces for*
3 *the casino use will now be provided on-site. Consequently, the off-lot parking criteria set forth in*
4 *Section 607.5.A can no longer be demonstrated and, therefore, upon issuance of a Certificate of*
5 *Completion for PB2025-43-SPACUP, the Conditional Use Permit approved on June 12, 2023,*
6 *PB2023-18-CUP, shall be deemed VOID. The MOTION was seconded by Jeremy Rutter.*

7
8 **The MOTION was approved (10-0).*
9

10 **4. STUDY ITEMS**

11 **A. Review and Adoption of 2026-2031 Capital Improvement Plan (CIP)**

12 Chair Faunce explained that a new paragraph had been drafted by Staff as acknowledgement by the
13 Planning Board that the CIP has impact on resident tax rate.

14
15 The group discussed how the CIP financing is calculated. Mr. Collins asked whether the costs for design
16 work for the Slayton Hill Road intersection project had to be included in the 2026 plan. Mr. Corwin said
17 the appropriated for 2026 is \$388,000; he said the state would contribute \$310,000 and the City would
18 contribute \$77,600. Mr. Vincent confirmed that the City would need to repay the state for that
19 contribution if the City chooses not to go ahead with the project.

20
21 *A MOTION was made by Don Collins to eliminate the Slayton Hill intersection project from the*
22 *recommendation by the Planning Board.*
23

24 The group discussed the project, the time limit on its design, and the timeline for funding at length.
25

26
27 *A MOTION was made by Andrew Faunce to extend the meeting to 9:45pm. The MOTION was*
28 *seconded by Richard Ford Burley*
29

30 **The MOTION was approved (10-0).*
31

32
33 The group discussed the CIP decision process as it occurred this year and discussed other possible ways
34 to consider and plan for projects in the future. Chair Faunce said it is not a good time to offer ideas and
35 other solutions when the Planning Board is considering projects just before they are to be funded. Mr.
36 Collins said there are budget issues in the City that need to be addressed. Chair Faunce confirmed that
37 the City Council can overrule the Board's recommendations.

38
39 The group discussed the challenges of the intersection in terms of safety and limited improvement
40 possibilities. Ms. Romano described the benefits of the project, particularly the facilitation of public
41 transportation for people going to the area hospital that will result if the project goes forward. Mr.
42 Collins said since no money has been spent on this project yet, it is the right time to consider removing it
43 from the CIP.

44
45 Chair Faunce asked Ms. Zook (as City Council Representative to the Planning Board) to offer some of
46 the comments being discussed in relation to the CIP project when it is considered by the City Council.

A MOTION was made by Andrew Faunce that the Lebanon Planning Board approves the Capital Improvement Program for the six-year period (2026-2031) as presented at the September 8, 2025 Planning Board meeting, and hereby submits Year 1 (2026) of the CIP as the Board's recommendation to the City Council for capital budget funding for 2026.

The Planning Board also wishes to acknowledge and highlight the importance of the CIP program and process as an essential component of the City's overall financial and community planning effort and as a mechanism for anticipating future facility and infrastructure requirements in order to ensure that they are funded in a responsible and systematic fashion.

Notwithstanding the above, the Planning Board appreciates the City Council's consideration of how funding capital improvements may increase the residential tax rate and understands that such may result in the postponement of CIP project expenditures recommended for 2026 or in alternative financial strategies to minimize year over year increases.

The MOTION was seconded by Richard Ford Burley.

**The MOTION was approved (7-1-2)*

Aye: Rutter Faunce, Ford Burley, Kennelly, Ashford, Appleton

Nay: Collins

Abstaining: Zook, Cole

B. Review of Proposed 2026 Zoning Amendments

Mr. Reichert provided copies of the proposed updates to the zoning amendments related to the Route 120 Study. The group discussed the map amendments provided by Mr. Reichert. Mr. Reichert asked the Board members to submit any comments or suggestions to him.

5. APPROVAL OF MINUTES - August 11, 2025

Chair Faunce said the August 11, 2025 Meeting minutes will be discussed at the next meeting.

6. ADJOURNMENT

A MOTION was made by Richard Ford Burley to adjourn the meeting at 9:45pm. The MOTION was seconded by Jeremy Rutter.

**The MOTION was approved (10-0).*

The meeting adjourned at 9:45pm. Chair Faunce thanked Dr. Rutter for his service to the City.

Respectfully submitted,

Paula Roux

Recording Secretary