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 Achford, 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)

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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.

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

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

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

B. 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

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

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

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

C. 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

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

A MOTION was made by Patrick Kennelly that the application of 192 Mascoma Street, LLC, 192 Mascoma Street (Tax Map 90, Lot 19) PB2025-44-MIN 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 (7-0).***

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

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

Corwin discussed the driveway requirements per the Subdivision Regulations. He said the plans could probably be left as they have been presented for now. He said the final driveway location must meet the driveway regulations.

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

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

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

Chair Faunce opened the public comment portion of the meeting.

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

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

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 192 Mascoma Street, LLC, for a proposed three (3)-lot Minor Subdivision of 192 Mascoma Street (Tax Map 90, Lot 19), zoned R-3, PB2025-44-MIN, as shown on a plat titled "Subdivision Plan for 192 Mascoma Street, LLC, Tax Map 90, Lot 19," prepared by Pathways Consulting, LLC, dated July 31, 2025, Proj. No. 13448, 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:

A. 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 and the driveway easement shall be recorded simultaneously and in accordance with Planning & Development Department procedures.
2. Future development on the new lots 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).
4. All new driveways shall comply with the City of Lebanon Driveway Regulations and, by extension, NHDOT Driveway Regulations, including layout, sight distances, grading and drainage.

B. Conditions to be Satisfied Prior to the Signing and Recording of the Plat
1. Remove the existing shed from Lot 90-19 and obtain a demolition permit from the Planning and Development Department, if required. If relocating the shed, obtain a Building Permit.
2. To the satisfaction of the Department of Public Works, prepare a revised turnaround easement deed on proposed Lot 90-19-2 to match the existing paved driveway apron.
3. The applicant shall provide a revised plat depicting the following changes to the satisfaction of the Planning and Development Department:

- ***a. Remove or relocate shed, as applicable, per condition B.1.***
- ***b. Provide surveyor's stamp.***
- ***c. Adjust the City's turnaround easement on Lot 90-19-2, consistent with condition B.2, and rename to "PAVED TURN-AROUND AREA".***
- ***d. Identify name and mailing addresses of the easement holder(s). (9.5.A.2)***
- ***e. Adjust setbacks for Lot 90-19-1 in accordance with Section 201.3 of the Zoning Ordinance which requires 20 ft. setbacks along Freeman, Myra, and Mascoma, and a 15 ft. setback along the shared lot line with Lot 90-19.***
- ***f. Contact the Assessing Department to confirm the proposed tax map/lot number for the new lots are acceptable/correct, and update plat as needed.***
- ***g. Add a note to the plan that electric, telephone and cable TV distributions systems shall be underground, including services (13.8.C).***
- ***h. Add a note indicating that the plat was approved pursuant to the City of Lebanon Subdivision Regulations last revised June 28, 2021.***
- ***i. Add Planning Board number (PB2025-44-MIN).***

> ***j. Add the following as a plan note: "Lots shall be graded sufficiently to provide adequate drainage for the purpose intended without the diversion of water onto other lots or onto property adjoining the subdivision." (13.3)***
> ***k. Provide the date and description of the plat revisions. (9.5.A.1)***

4. The applicant 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).

The MOTION was seconded by Kellen Appleton.

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

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

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

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

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

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

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

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

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

He said the applicant is now requesting two approvals:

1. A Conditional Use permit to allow on-site parking in excess of 120% of the minimum required, which would be approximately 120 on-site spaces without the applicant having to seek special approvals from the Planning Board.
2. An amendment to the approved site plan to construct a 44-space extension on the west side of the existing on-site parking area

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

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

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

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

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

A MOTION was made by Richard Ford Burley as follows:

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

I. FINDINGS OF FACT
Based on testimony given, application materials presented, and supporting documents submitted, the Planning Board makes the following findings of fact:
1. The property is occupied by the Revo Casino, which is considered an "indoor amusements" use as defined in Appendix A of the Zoning Ordinance.
2. The Applicant has determined that more parking is needed to fulfill the parking demand created by the combination of casino guests and employees.

3. To accommodate this need, the Applicant proposes to construct an additional parking area with 44 spaces on the western portion of the subject property.
4. Currently, the subject property has 93 on-site parking spaces which equates to providing 94% of the minimum number of parking spaces that are required for the casino use, as determined per Section 607.1 of the Zoning Ordinance.
5. The applicant requests a Conditional Use Permit pursuant to Section 607.3.B.2 of the Zoning Ordinance to provide off-street parking spaces in excess of 120% of the minimum number required. Adding 44 additional parking spaces will bring the number of on-site parking spaces to 137, which equates to 138% of the minimum number of required parking spaces.
6. In order to grant a Conditional Use Permit to allow 138% of the minimum number of parking spaces, the applicant must demonstrate, and the Board must find the applicant's proposal satisfies the requirements of Section 607.3.B.2.

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

1. The need for additional parking cannot reasonably be met through provision of on-street parking or shared parking with adjacent or nearby uses. (§607.3.B.2.a)
2. The proposed development demonstrates that its design and intended uses will continue to support high levels of existing or planned transit and pedestrian activity. (§607.3.B.2.b)
3. The site plan indicates where additional parking can be redeveloped to a more intensive transit supportive use in the future. (§607.3.B.2.c)

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

The MOTION was seconded by Don Collins.

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

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

****The MOTION was approved (10-0).***
A MOTION was made by Richard Ford Burley that for the application of Lebanon Poker Room & Casino, LLC, PB2025-43-SPACUP, the Lebanon Planning Board approves a waiver from Section 6.2.B.1-5 of the Site Plan Review Regulations (perimeter landscaping requirements). The MOTION was seconded by Wes Achford.

The MOTION was approved (10-0).

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

The MOTION was approved (10-0).

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

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

This approval is subject to the following conditions:
A. General Conditions
1. This approval shall automatically expire and be deemed void upon failure to meet any of the conditions of approval set forth herein within the timeframes specified. It shall be the applicant's responsibility to be familiar with and aware of these conditions of approval, and it shall be the applicant's responsibility to satisfy these conditions of approval and to satisfy them within the relevant timeframes outlined below.
2. This approval supersedes the site plan amendment approved pursuant to a Notice of Action dated March 12, 2007, for PB2007-07.
3. The subject property shall continue to comply with and be subject to the Planning Board Notice of Action for PB2023-04-SPR, dated July 10, 2023, and all conditions of approval thereof except as may be superseded by the conditions herein. The plan set identified in the July 10, 2023, Notice of Action, which plan set was further modified pursuant to Section 9.2 of the Site Plan Review Regulations, shall remain in force except as modified pursuant to this approval.
4. The development is subject to the Site Plan Review Regulations adopted May 13, 1991, last revised April 28, 2025, and the Zoning Ordinance adopted January 16, 2013, last amended March 19, 2025, which are the regulations in effect at the time the application was submitted. This condition shall supersede condition of approval #2 set forth in the July 10, 2023 Notice of Action for PB2023-04-SPR.

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

B. Conditions to be Satisfied Prior to the Start of Any Construction Activities
1. The applicant shall provide a letter or certification from the engineer of record or other qualified design professional confirming that the approved plan set meets the accessibility standards of the State of New Hampshire Building Code, including with respect to the sidewalk proposed along the north side of the parking lot expansion access drive.
2. The applicant shall perform a wetland delineation in accordance with Section 5.1.E.8 of the Site Plan Review Regulations and shall provide the same to the Planning & Development Department.
3. The applicant shall demonstrate compliance with the parking lot shading requirements set forth in Section 6.2.E of the Site Plan Review Regulations to the satisfaction of the Planning & Development Department.
4. Within 60 days of the Planning Board's approval, the applicant shall make the following revisions to the plan set to the satisfaction of the Planning and Development Department and the City Engineer:

a. 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

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

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

4. STUDY ITEMS

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

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

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

A MOTION was made by Don Collins to eliminate the Slayton Hill intersection project from the recommendation by the Planning Board.

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

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

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

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

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

Chair Faunce asked Ms. Zook (as City Council Representative to the Planning Board) to offer some of 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, Achford, 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