



**LEBANON PLANNING BOARD
OCTOBER 27, 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: 342 035 620#). If you have trouble accessing this meeting, please email [Tim Corwin](#).

2. Conceptual Review

- A. **Stewart Shops Corp, 97 N. Main Street (Tax Map 72, Lot 30) & EB Realty II LLC, 99 N. Main Street (Tax Map 72, Lot 31), zoned CB:** Conceptual review of a proposed redevelopment of the properties for a convenience store and vehicular refueling station use. **PB2025-46-CON**
- B. **Robert J. Oakes, Laplante Road (Tax Map 138, Lot 27), zoned R-3, RL-1, and RL-2:** Conceptual review of a proposed 13-unit planned unit residential development (PURD). **PB2025-48-CON**

3. Study Items

- A. Discussion re: Capital Improvement Program (CIP) Policies and Procedures for 2027-2032 CIP
- B. Review and Discussion re: Master Plan Update and Implementation Process
- C. Review of Agriculture/Agritourism Related Statutes and Regulations and Discussion of Potential Amendments to the Site Plan Review Regulations

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

- C. Planning Board Committee Assignments
- 6. Approval of Minutes**
 - A. September 22, 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.

CITY OF LEBANON APPLICATION FOR

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

PROPERTY OWNER (APPLICANT):

NAME: EB Realty II

MAILING ADDRESS:

E-MAIL ADDRESS:

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Stewart's Shops Corp.

MAILING ADDRESS:

E-MAIL ADDRESS:

PROJECT LOCATION:

TAX MAP #: 05120 72 LOT#: 72 31 PLOT #: 31 ZONE: CBD

STREET ADDRESS OF PROJECT: 99 North Main Street

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

SCOPE OF PROJECT:

Stewart's will purchase the property at 99 North Main St and will raze that property. After which it will construct a new building. When the building is complete the existing store razed for new gas installation

TYPE OF OCCUPANCY:

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

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

USE: Convenience store with gasoline filling

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on October 27, 2025, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY

OWNER:

DATE: 10/20/2025

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

PROPERTY

OWNER:

DATE: 10/20/2025

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	
10/20/2025	72/31	PB2025-46-CON	

(Last Revised 4/04/18)

CITY OF LEBANON APPLICATION FOR

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

☐ OTHER _____

PROPERTY OWNER (APPLICANT):

NAME: Stewart's Shops Corp. [REDACTED]

MAILING ADDRESS: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Stewart's Shops Corp. [REDACTED]

MAILING ADDRESS: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

PROJECT LOCATION:

TAX MAP #: 05120 72 LOT #: 72 30 PLOT #: 30 ZONE: CBD

STREET ADDRESS OF PROJECT: 97 North Main St

IS THIS PROPERTY LOCATED IN THE: **WETLANDS** ☐ YES ☒ NO **HISTORIC DISTRICT** ☐ YES ☒ NO
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 IF USE IS **COMMERCIAL** OR **INDUSTRIAL**, PLEASE NOTE **SPECIFIC**
 USE: Convenience store with gasoline filling

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on October 27, 2025, 20____, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY OWNER: Chris Mall

DATE: 10/20/25

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

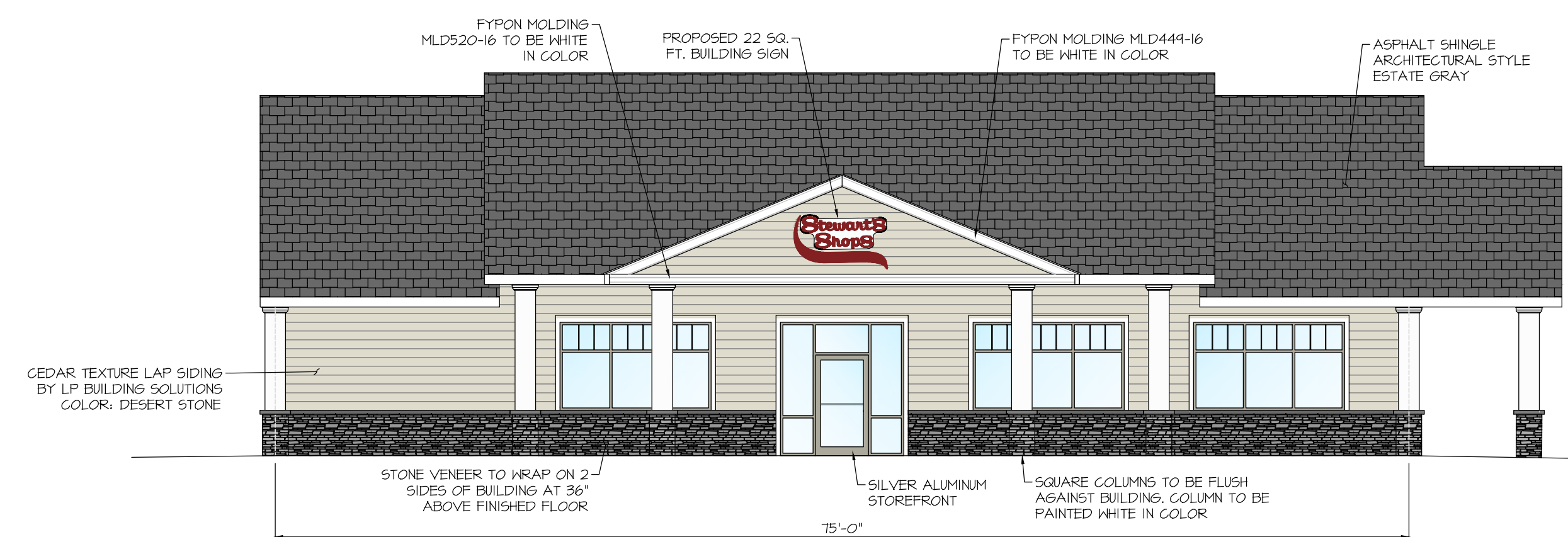
PROPERTY OWNER: _____

DATE: _____

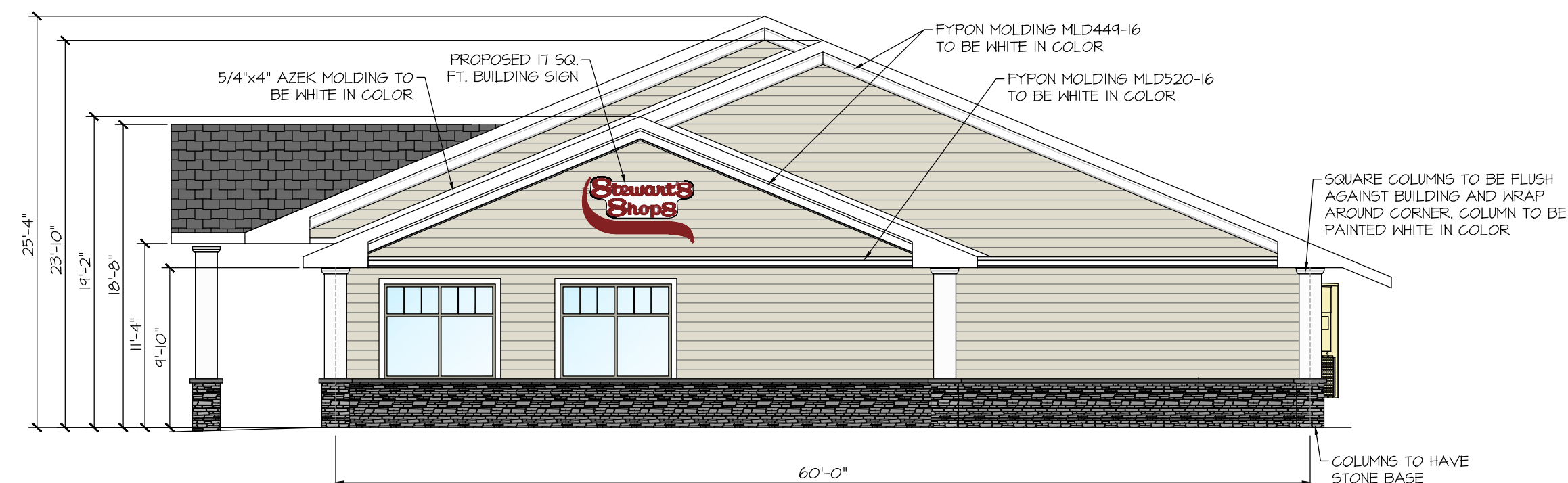
DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	[REDACTED]
10/20/2025	72/30	PB2025-40	CON

PROPOSED STEWART'S SHOP

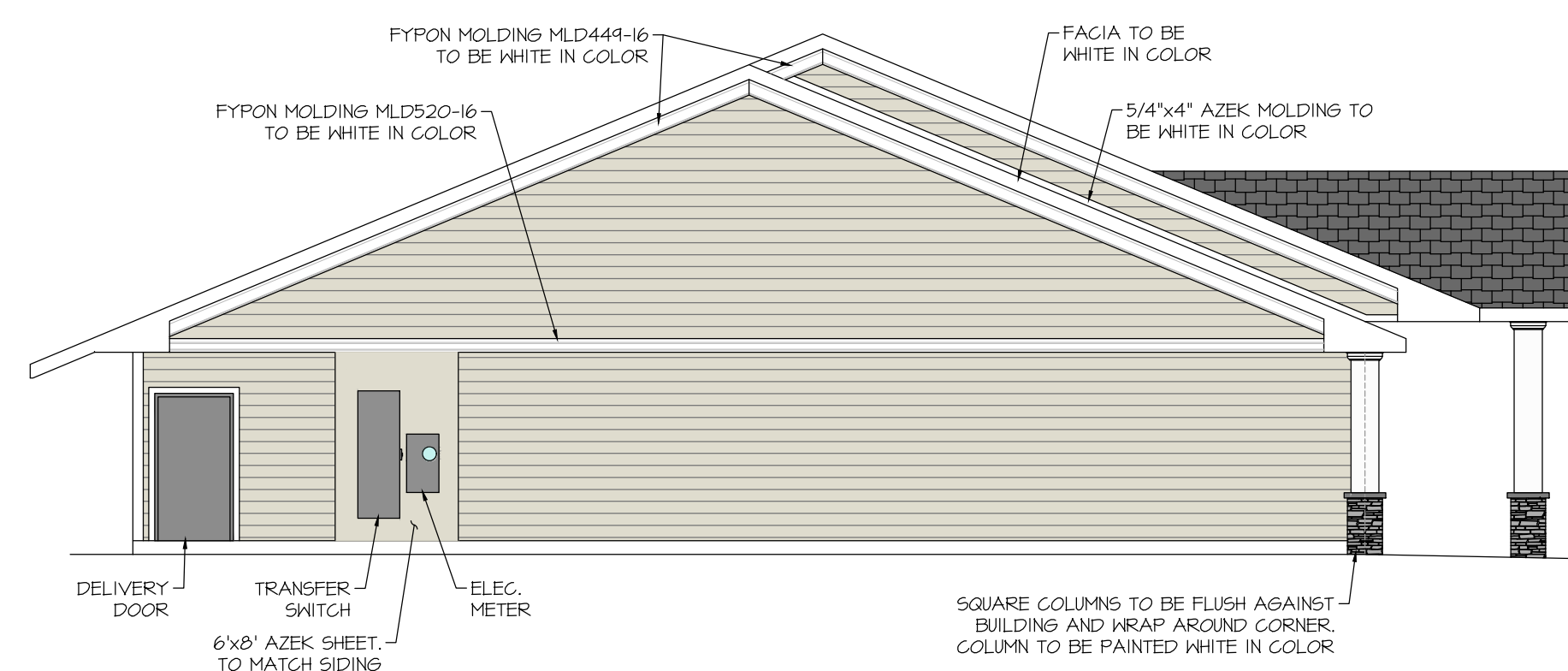
97 MAIN STREET - WEST LEBANON, NY 03784



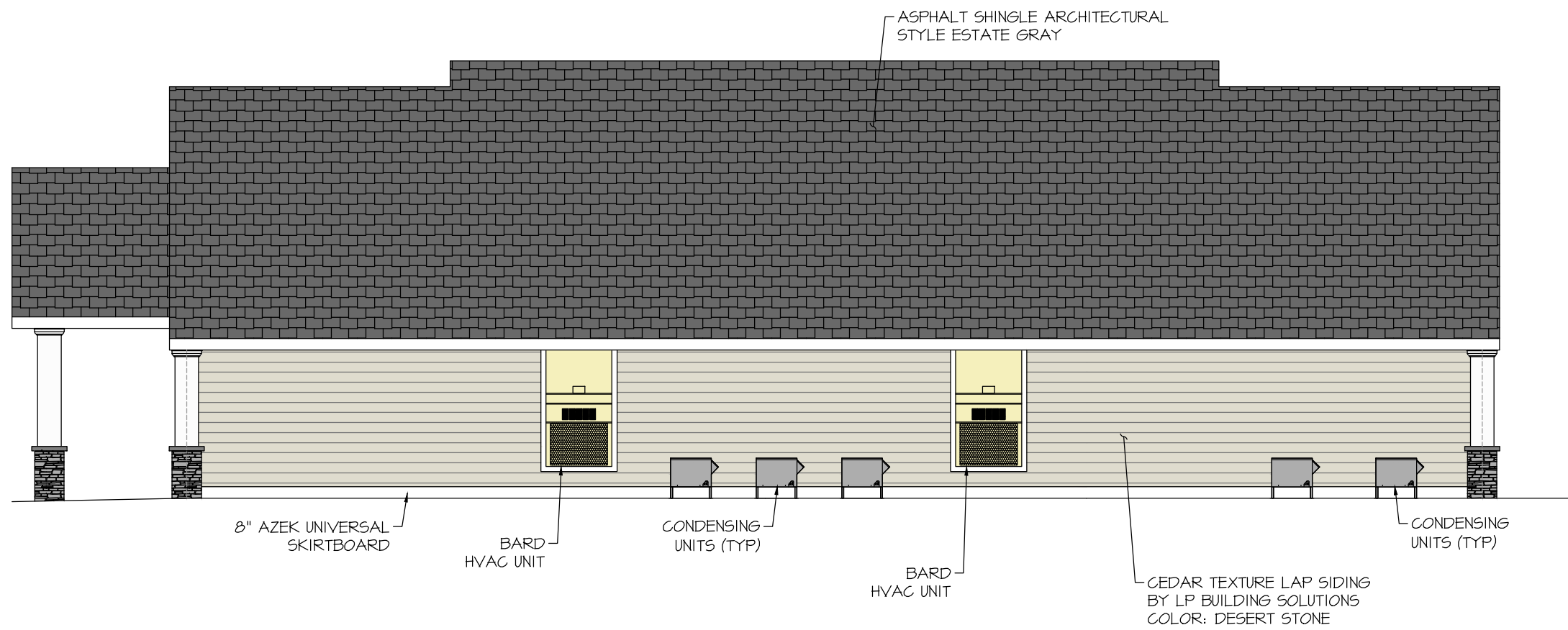
SOUTH ELEVATION



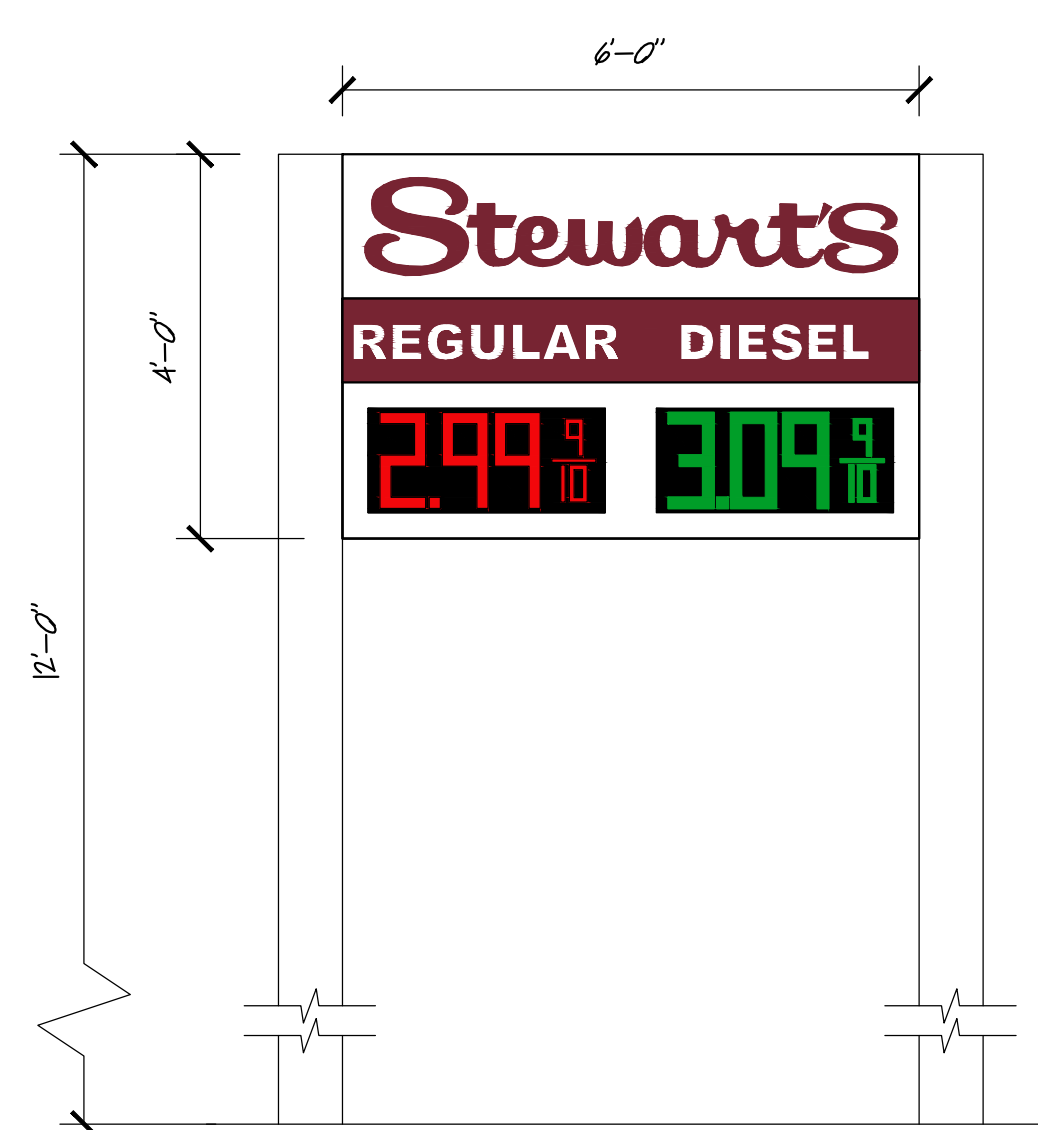
EAST ELEVATION



WEST ELEVATION

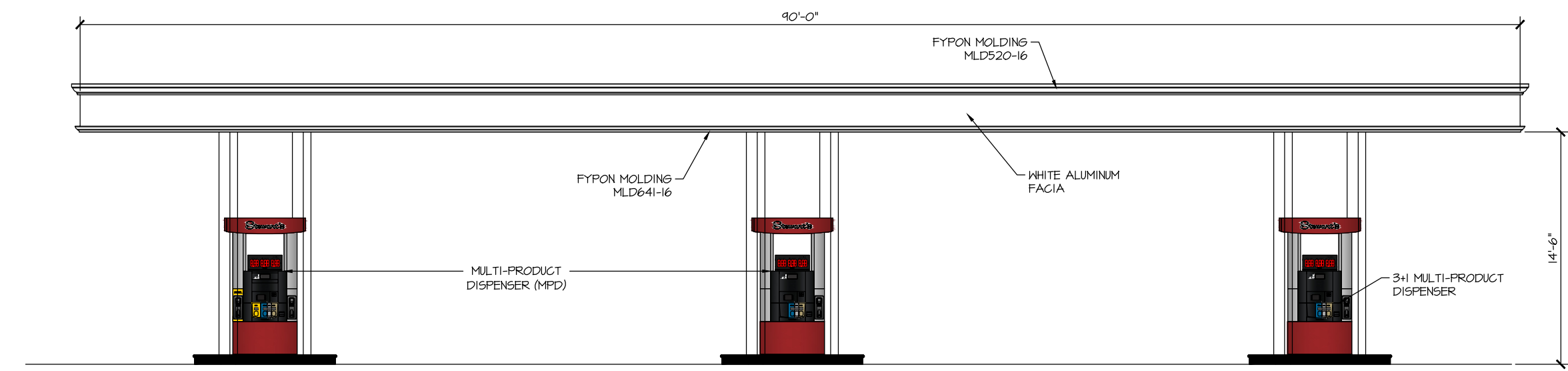


NORTH ELEVATION

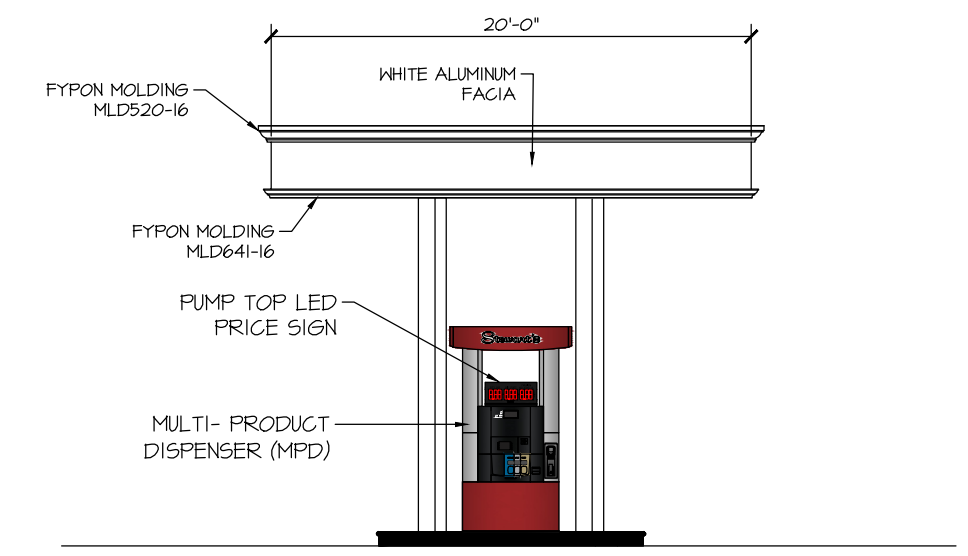


FREESTANDING SIGN

SIZE: 4'x6'=24 SQ. FT.
LETTERS: 1/8" PLEXIGLASS FACE ON 4-1/2" THICK CAN
ILLUMINATION: INTERNALLY ILLUMINATED WITH LED LIGHTING
-BURUNDY LETTERS
-WHITE COLOR BACKGROUND
-12" RED LED GAS PRICE NUMBERS
-12" GREEN LED DIESEL PRICE NUMBERS



GAS CANOPY NORTH/SOUTH ELEVATION



GAS CANOPY EAST/WEST ELEVATION



TYPICAL BUILDING SIGN

SIZE: - 17 SQ. FT.
LETTERS: - 1/8" PLEXIGLASS FACE ON 4-1/2" THICK CAN
ILLUMINATION: - INTERNALLY ILLUMINATED WITH LED LIGHTING
- BURUNDY LETTERS
- WHITE COLOR BACKGROUND

	STORE NAME, ABBREVIATION & NO.		WEST LEBANON - WLB - 525	
	SITE LOCATION		97 MAIN STREET - WEST LEBANON, NH 03784	
	DATE	NO.	REVISIONS	
	DRAWN BY: SEK		SCALE: 1" = 20'	
DATE: 10-6-25		DRAWING NO. T-1		
TITLE: ELEVATIONS		SARATOGA SPRINGS, NY 12866 TEL (518)581-1200 FAX (518)581-1209		



SITE LOCATION MAP

LEGEND

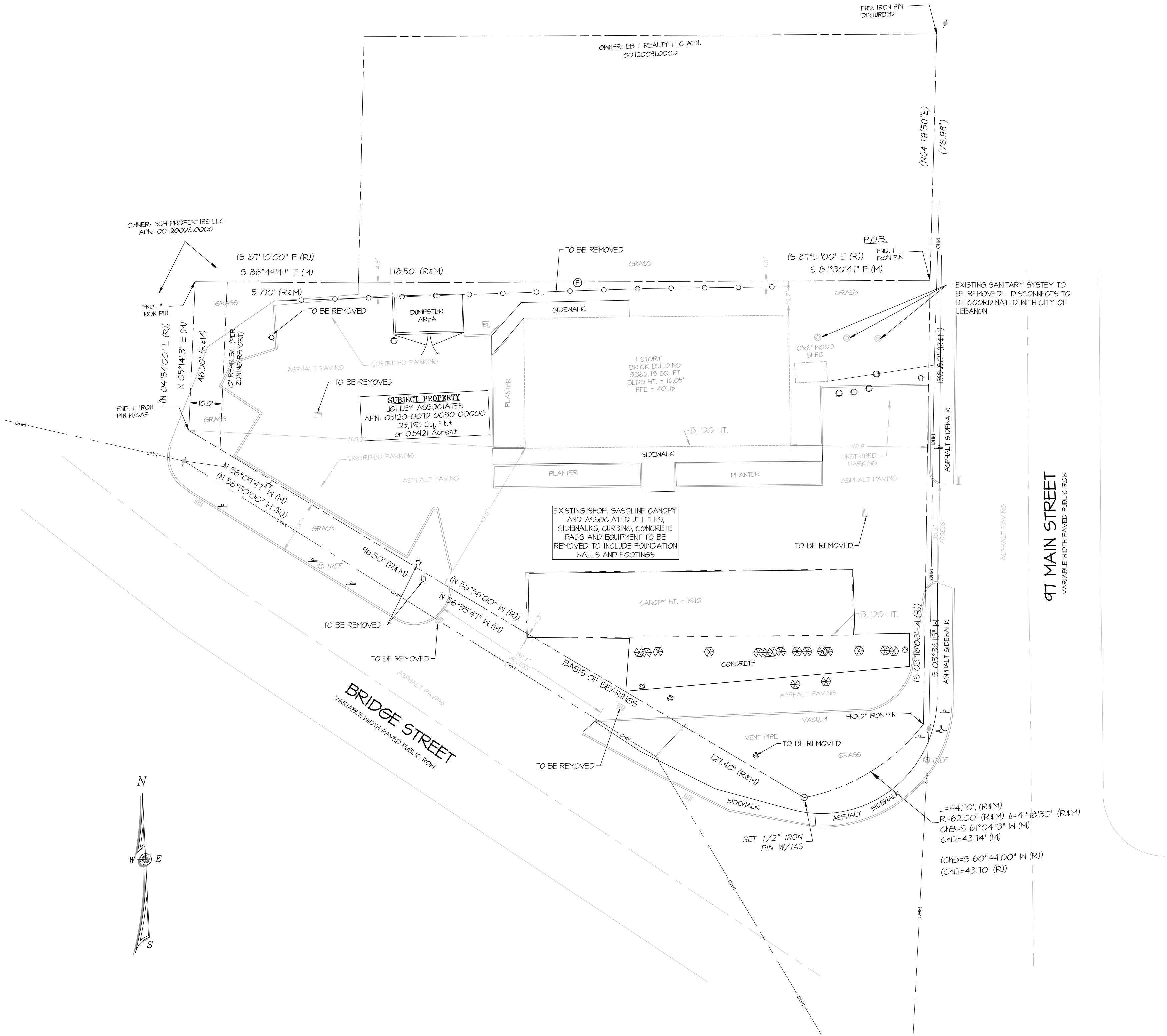
FIRE HYDRANT	
WATER VALVE	
GAS VALVE	
SEWER MANHOLE	
SEWER CLEANOUT	
CURB INLET	
CATCH BASIN	
GUY WIRE	
UTILITY POLE	
SIGNPOST	
TRAFFIC SIGNAL CONTROL BOX	
POLE LIGHT	
MONITORING WELL	
BOLLARD	
IRRIGATION SLEEVE	
OVERHEAD UTILITIES	
WATER SERVICE, 1" TYPE "K" COPPER	
SEWER SERVICE, 4" SDR 26	
STORM PIPE, PROPOSED, HDPE	
STORM PIPE, EXISTING	
STOCKADE FENCE	
CHAINLINK FENCE	
SPLITRAIL FENCE	
W/G ELECTRICAL/TELE SERVICE	
W/G ELECTRICAL CONDUIT	
W/G GAS LINE	
W/G CAMERAL CONDUIT	
DIESEL PRODUCT LINE	
SUPER PRODUCT LINE	
UNLEADED PRODUCT LINE	
EXISTING MAJOR CONTOUR	
EXISTING MINOR CONTOUR	
PROPOSED MAJOR CONTOUR	
PROPOSED MINOR CONTOUR	
PROPOSED SPOT ELEVATION	
EXISTING UNCHANGED SPOT ELEVATION	

NOTES

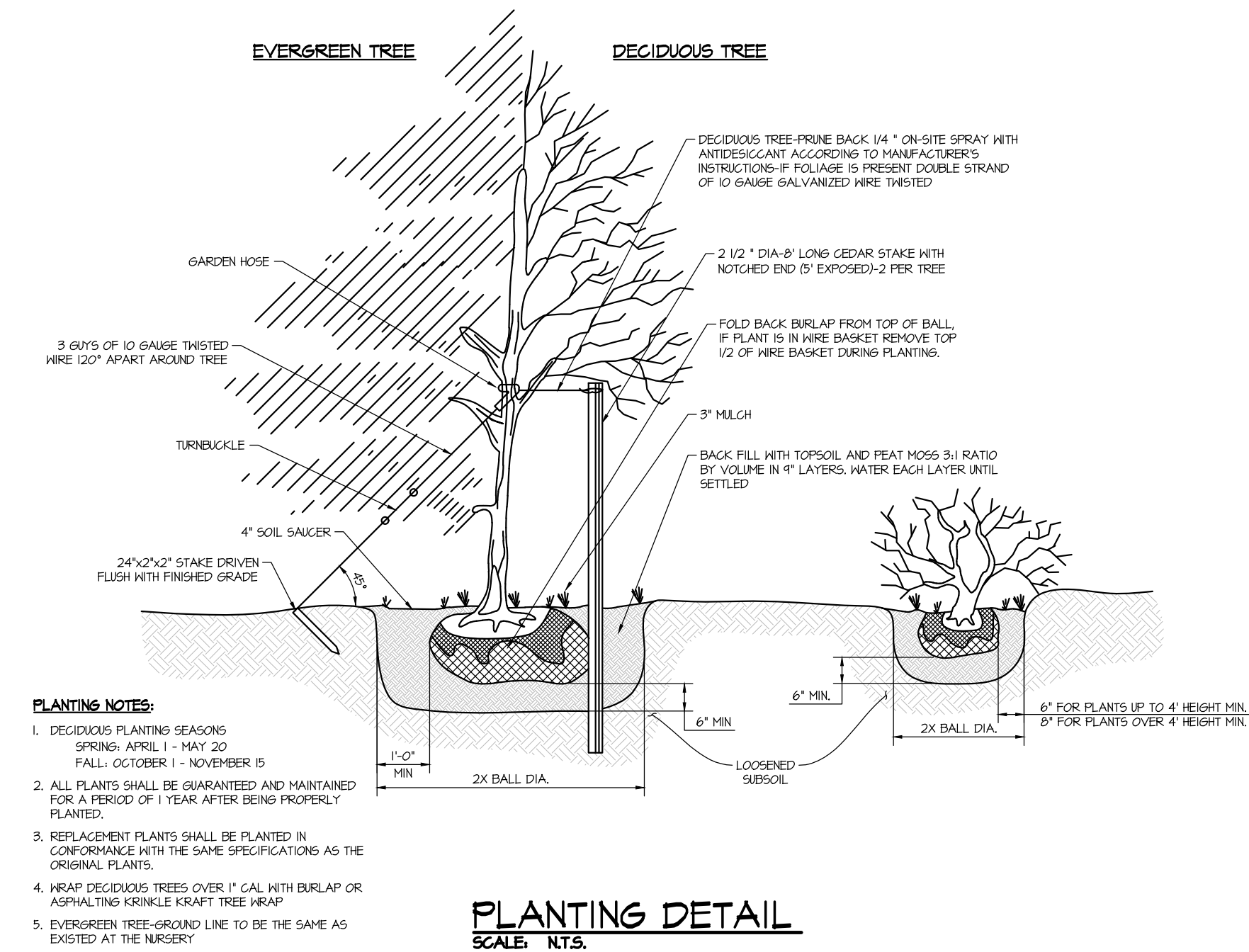
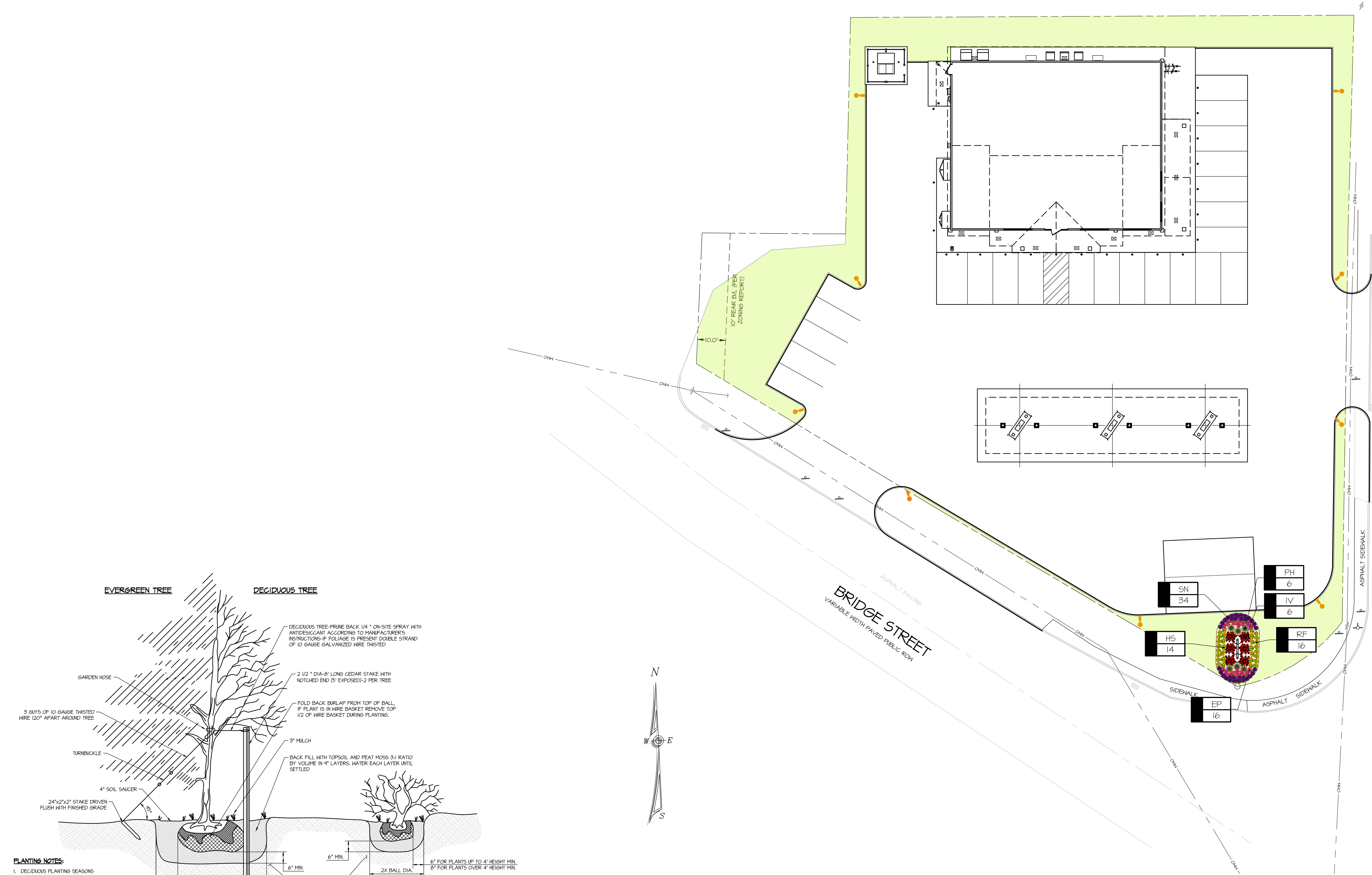
1. SOME FEATURES IN LEGEND MAY NOT HAVE BEEN USED.

2. DARKER LINES INDICATE NEW WORK.

3. DOTTED LINES INDICATE REMOVED ITEMS.



		STORE NAME, ABBREVIATION & NO.		WEST LEBANON - WLB - 525	
		SITE LOCATION		97 MAIN STREET - WEST LEBANON, NH 03784	
		DATE	NO.	REVISIONS	
				DRAWN BY: SEK	
				SCALE: 1" = 20'	
				DATE: 10-6-25	
		SARATOGA SPRINGS, NY 12866 TEL. (518)581-1200 FAX (518)581-1204		DRAWING NO.	
				5-1	
		TITLE:		EXISTING CONDITIONS / DEMO PLAN	



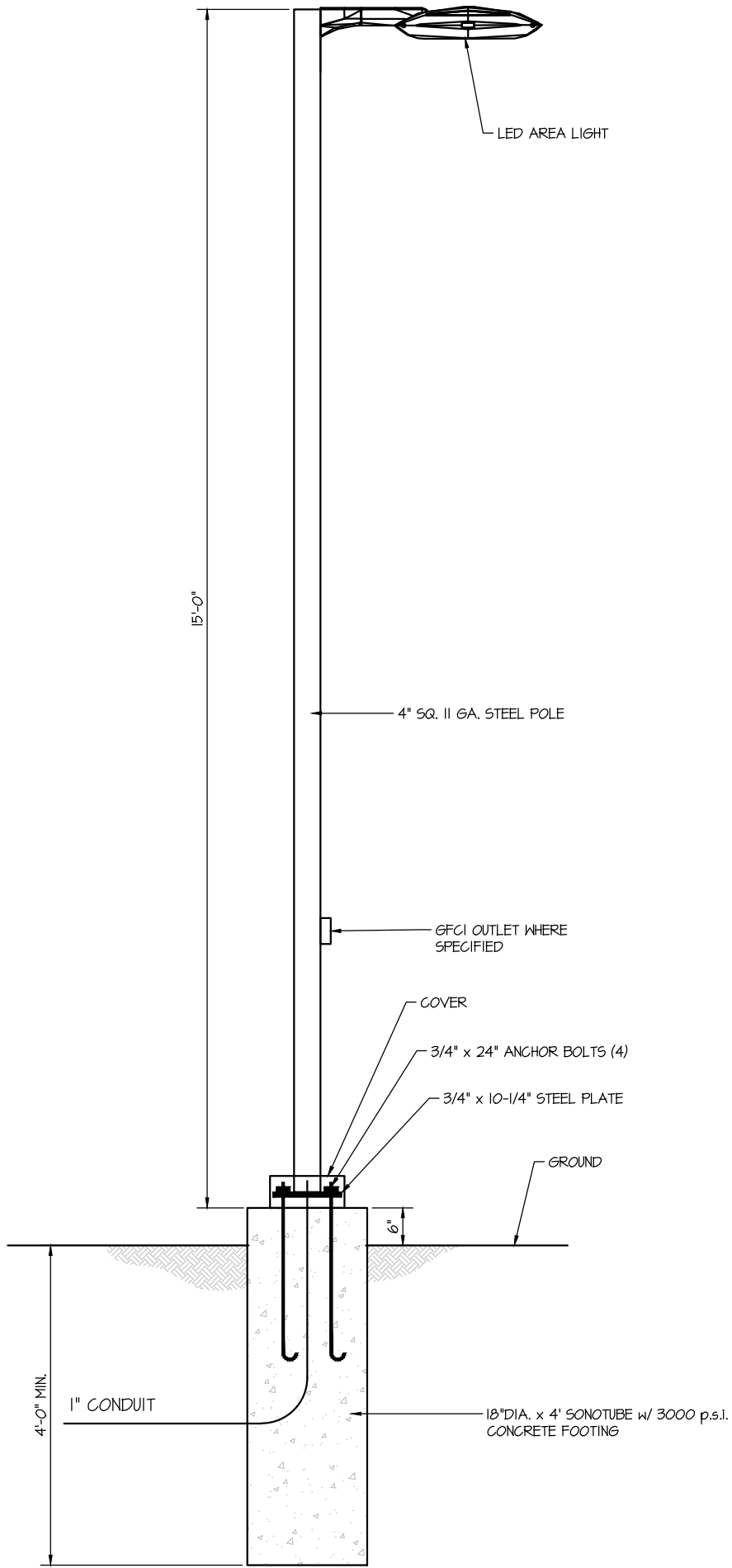
PLANT LIST

	ABRV	BOTANICAL NAME	COMMON NAME	QTY	SIZE	SPACING
PERENNIALS	HS	HEMEROCALLIS 'STELLA DE ORO'	DAYLILY - STELLA DE ORO	14	2 GAL.	AS SHOWN
	RF	RUDBECKIA FULLIDA	BLACK-EYED SUSAN	16	2 GAL.	AS SHOWN
	EP	ECHINACEA PURPUREA 'RUBY STAR'	CONEFLOWER - PURPLE	16	2 GAL.	AS SHOWN
	PH	PENNISETUM 'HADELIN'	HADELIN FOUNTAIN GRASS	6	3 GAL.	AS SHOWN
	SN	SALVIA NEMOROSA 'MAINACHT'	SALVIA - MAY NIGHT	34	2 GAL.	AS SHOWN
SHRUBS	IV	ILEX VERTICILLATA	WINTERBERRY HOLLY	6	3 GAL.	AS SHOWN

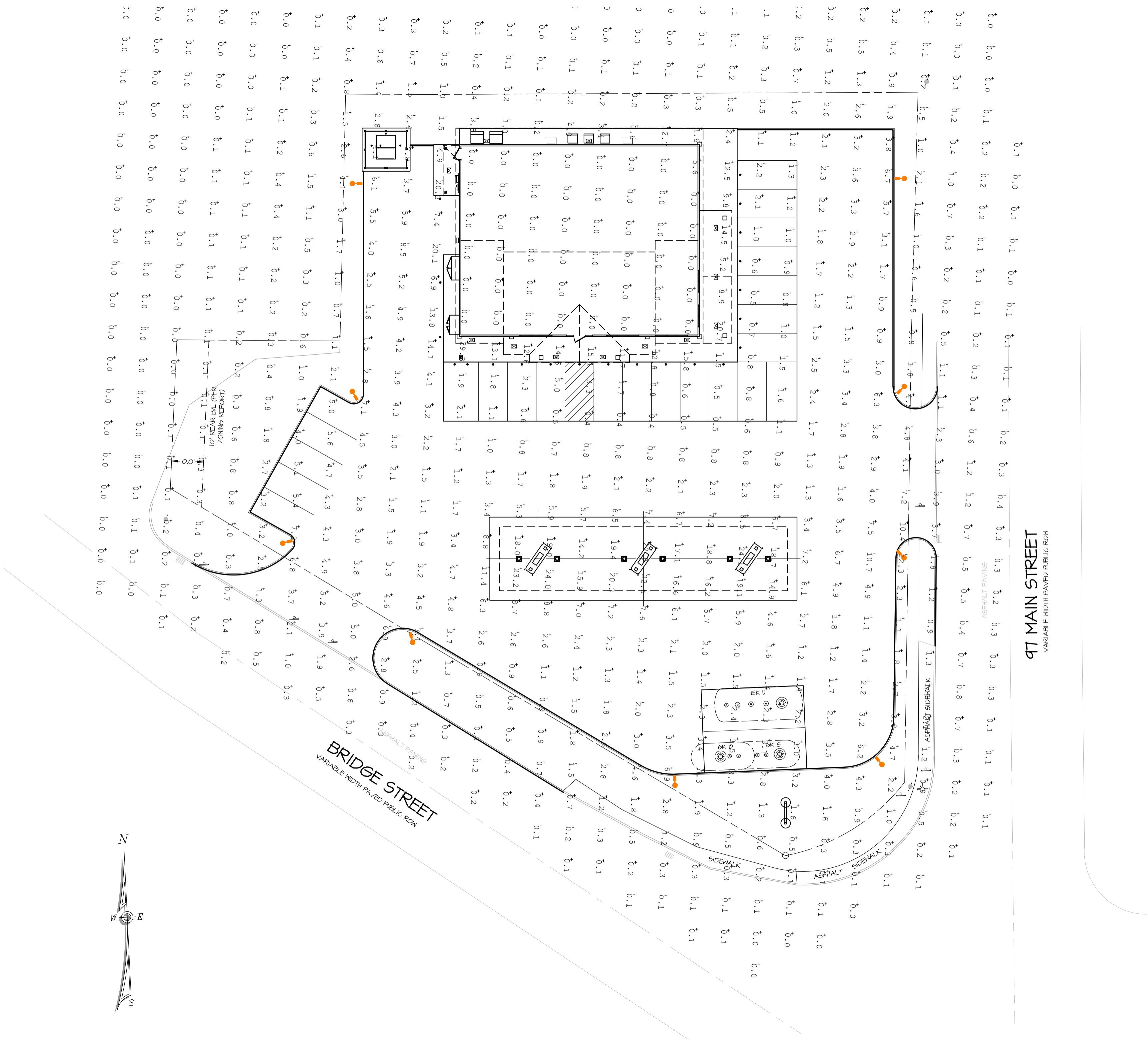
	STORE NAME, ABBREVIATION & NO.		WEST LEBANON - WLB - 525			
	SITE LOCATION				97 MAIN STREET - WEST LEBANON, NH 03784	
	DATE	NO.	REVISIONS		 SARATOGA SPRINGS, NY 12866 TEL. (518) 581-1200 FAX (518) 581-1204	DRAWN BY: SEK SCALE: 1" = 20' DATE: 10-6-25
						DRAWING NO. S-3
TITLE:		LANDSCAPING PLAN				

Calculation Summary				
Label	Units	Avg	Max	Min
ENTIRE SITE	Fc	3.81	24.3	0.0
CANOPY	Fc	14.1	24.1	14.2
PARKING LOT	Fc	3.40	20.3	0.4
SIDEWALKS	Fc	11.54	24.3	1.5

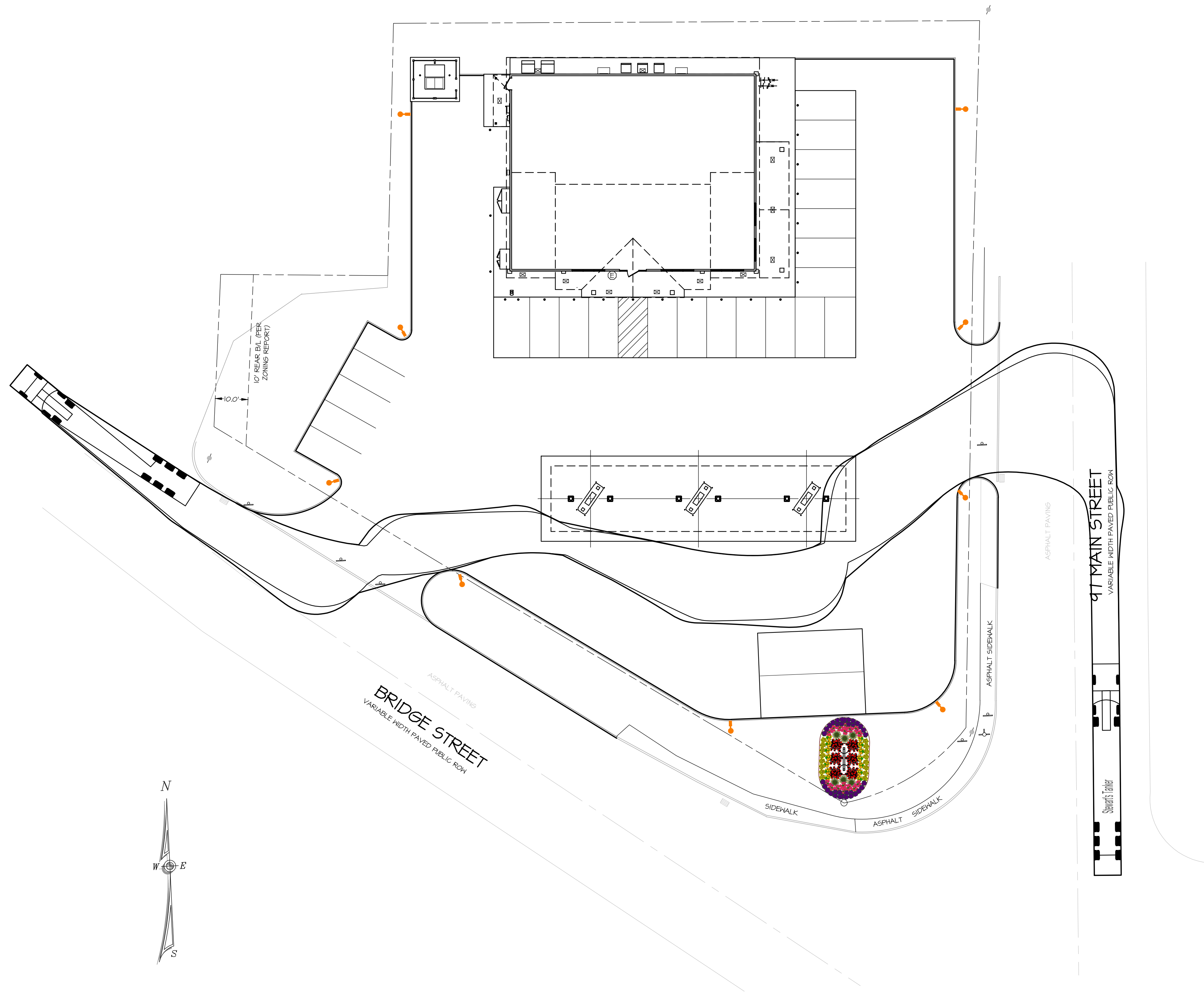
Luminaire Schedule					
Symbol	Qty	Label	Arrangement	Description	Comments
	15	EVO65Q5H 50-25 90CRI SMO MVOLT EZI	SINGLE	SOFFIT LIGHT, WHITE, RECESSED MOUNT, 5000K	
	3	ARC2 LED P5 50K MVOLT FAO DMXHD	SINGLE	WALL MOUNT LIGHT, WHITE, 5000K	
	6	PCNY LED AL02 54W42 FPCL MVOLT DMXHD M3	SINGLE	CANOPY LIGHT, WHITE, RECESSED MOUNT, 5000K	
	4	RSX1 LED P3 50K R3 MVOLT 15 FAO DBBXD	SINGLE	POLE LIGHT, DARK BRONZE, 5000K	



LIGHT POLE DETAIL



	STORE NAME, ABBREVIATION & NO.		WEST LEBANON - WLB - 525	
	SITE LOCATION		97 MAIN STREET - WEST LEBANON, NH 03784	
	DATE	NO.	REVISIONS	
	 SARATOGA SPRINGS, NY 12866 TEL. (518)581-1200 FAX (518)581-1204		DRAWN BY: SEK SCALE: 1" = 20' DATE: 10-6-25	
	DRAWING NO. S-4		TITLE: PHOTOMETRICS PLAN	



CITY OF LEBANON

APPLICATION FOR

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

☐ OTHER _____

PROPERTY OWNER (APPLICANT):

NAME: Oakes & Son Construction, LLC

MAILING ADDRESS: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Fieldstone Land Consultants

MAILING ADDRESS: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

PROJECT LOCATION:

TAX MAP #: 138

LOT#: 27

PLOT #:

ZONE: R3

STREET ADDRESS OF PROJECT: 00 Laplante Road

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

SCOPE OF PROJECT:

A 13 unit Planned Unit development (PUD) is being proposed off of Laplante Road. The site will have a shared septic system and will connect to the municipal water system.

TYPE OF OCCUPANCY:

EXISTING ☒ VACANT ☐ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL
 PROPOSED ☐ VACANT ☐ ONE FAMILY ☐ TWO FAMILY ☒ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL
 IF USE IS **COMMERCIAL** OR **INDUSTRIAL**, PLEASE NOTE **SPECIFIC**
 USE: _____

SIGNATURE BLOCK:

FOR PLANNING BOARD APPLICATIONS ONLY: I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on October 27, 2025, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

PROPERTY

OWNER: Stephen CoffmanDATE: 10/21/25

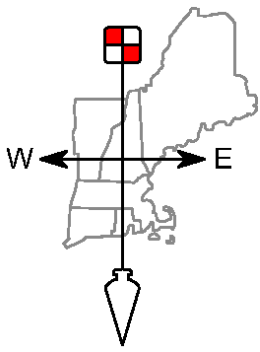
NOTE: IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING AND SIGN BELOW: I hereby designate the person listed above as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent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

PROPERTY

OWNER: (see attached LOA)

DATE: _____

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #		
10/20/2025	138-27	PB2025-48-CON	[REDACTED]	[REDACTED]



FIELDSTONE

LAND CONSULTANTS, PLLC

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

October 21, 2025

RE: Oakes & Sons Construction, LLC – Planned Unit Development
Laplante Road - Lebanon, NH
Tax Map Parcel 138-27

To Whom It May Concern:

The undersigned hereby authorizes Fieldstone Land Consultants, PLLC to act as their agent in filing and seeking the necessary local, state and federal approvals for the above referenced project.

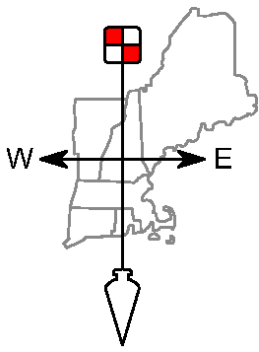
Very truly yours,

Applicant:

Signature: Bobby Oakes

Print: Bobby Oakes

Date 10/21/25



FIELDSTONE

LAND CONSULTANTS, PLLC

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

Planned Unit Development Site Plan Narrative

Oakes & Son Construction, LLC
Tax Map Parcel 138, Lot 27
Laplante Road, Lebanon, New Hampshire

October 17, 2025

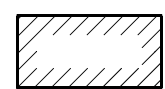
Project Narrative:

Fieldstone Land Consultants, on behalf of Oaks & Son Construction, LLC, is submitting a Planned Unit development plan for Planning Board review. The proposal consists of developing Tax Map Lot 138-27 located on LaPlante Road, which include the construction of 13 residential dwelling units. The proposed site design will include the establishment of a Home Owners association, which will assume responsibility for the ownership and maintenance of the shared infrastructures and common areas. The proposed road is to be approximately 830 feet which will be a private roadway under the Home Owners association, designed in accordance with the local roadway design standards. The development will be serviced by municipal water, with connections to each dwelling. The septic system is to be designed as a gravity sewer system which is then pumped to a shared leach field. Additional site considerations will include stormwater management, erosion and sedimentation control, grading and drainage design, and compliance with zoning regulations.

LEGEND:

- I/PIN(F)
○ I/PIPE(F)
— SINGLE POST SIGN
— UTILITY POLE & GUY
△ WF 37
WETLAND FLAG
— RIGHT-OF-WAY LINE
— BOUNDARY LINE
— ABUTTING LOT LINE
— BUILDING SETBACK LINE
— EDGE OF PAVEMENT
— EDGE OF GRAVEL
— STONE WALL
— EDGE OF TREE LINE
— EDGE OF WETLANDS
— WETLANDS BUFFER LINE
— 720 — 10' CONTOUR INTERVAL
— 722 — 2' CONTOUR INTERVAL
— OH — OVERHEAD UTILITY LINE
— ZONE LINE

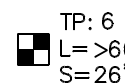
183-27 TAX MAP & LOT NUMBER



EXISTING BUILDING



EXISTING PINE TREE



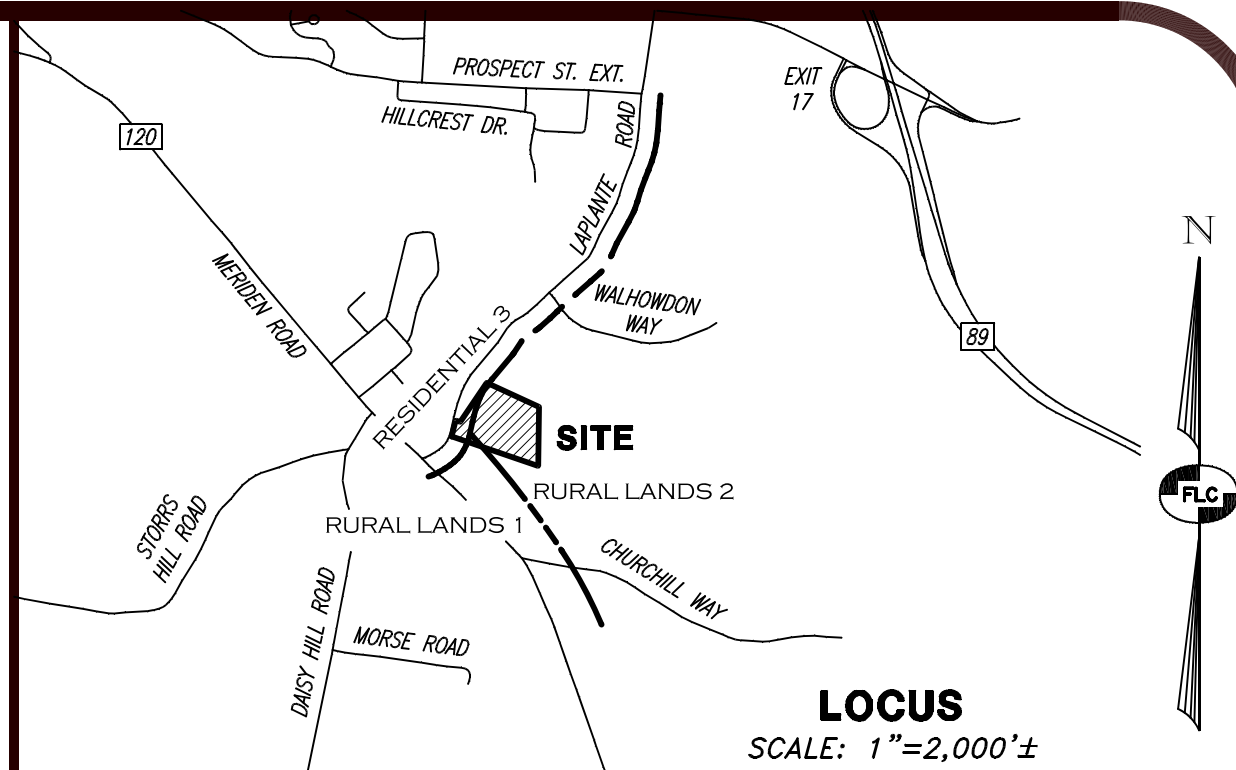
TEST PIT



SLOPES 25% OR GREATER

PERMITS/APPROVALS REQUIRED:

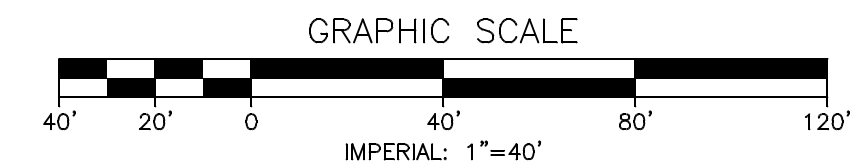
1. TOWN OF LEBANON PLANNING BOARD: MAJOR SITE PLAN APPROVAL
2. TOWN OF LEBANON PLANNED UNIT DEVELOPMENT C.U.P.:
3. TOWN OF LEBANON SPECIAL EXCEPTION
4. NHDES SEWER CONNECTION PERMIT
5. NHDES ALTERATION OF TERRAIN PERMIT:



NOTES:

1. THE OWNER OF RECORD FOR TAX MAP 138 LOT 27 IS ROBERT J. OAKES, 84 HANOVER STREET, LEBANON, NH. 03766. SEE G.C.R.D. BK. 4564 PG. 836 DATED JUNE 26, 2020.
2. THE PURPOSE OF THIS PLAN IS TO DEPICT A PLANNED UNIT DEVELOPMENT OVER TAX MAP 138 LOT 27.
3. PORTIONS OF MAP 138 LOT 27 LIE WITHIN THE RURAL LANDS ONE (RL-1), RURAL LANDS TWO (RL-2) AND RESIDENTIAL THREE (R-3) ZONING DISTRICTS. CLASS 1 LOT REQUIREMENTS ARE:

	RL-1	RL-2	R-3
MIN. LOT AREA:	1 ACRE	1 ACRE	10,000 S.F.
MIN. FRONTAGE:	150 FT.	150 FT.	NONE
MIN. LOT WIDTH:	NONE	NONE	75 FT.
MIN. FRONT SETBACK:	40 FT.	40 FT.	20 FT.
MIN. SIDE SETBACK:	25 FT.	20 FT.	15 FT.
MIN. REAR SETBACK:	30 FT.	25 FT.	20 FT.
BLDG. COVERAGE:	15%	20%	25%
WETLAND BUFFER:	100 FT. ALL WETLANDS		
- *PUD DEVELOPMENTS REQUIRE A 50-FT PERIMETER BUFFER FROM ALL LOT LINES.
4. THE SURFACE FEATURES AND SITE TOPOGRAPHY SHOWN ARE THE RESULT OF AN ON-SITE FIELD SURVEY BY THIS OFFICE DURING THE MONTHS OF MAY AND JUNE, 2025 TOGETHER WITH SUPPLEMENTAL LIDAR DATA.
5. THE BOUNDARY INFORMATION SHOWN WAS DEVELOPED FROM THE REFERENCE PLAN NOTED HEREON TOGETHER WITH A PRECISE SURVEY BY THIS OFFICE.
6. HORIZONTAL ORIENTATION AND VERTICAL DATUM ARE NAD83 AND NAVD88 PER A GPS CORS SOLUTION.
7. THE SUBJECT PARCEL IS NOT LOCATED IN A FLOOD HAZARD AREA AS DETERMINED FROM THE FLOOD INSURANCE STUDY (FIRM), GRAFTON COUNTY, CITY OF LEBANON, NEW HAMPSHIRE, COMMUNITY NO. 330081, PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, PANEL NUMBER: 33009C0913E & 33009C1080E, EFFECTIVE DATE: FEBRUARY 20, 2008.
8. THE LOCATION OF ANY UTILITIES SHOWN HAVE BEEN COMPILED IN PART FROM PLANS OF RECORD AND FIELD LOCATION. THE LOCATION OF UNDERGROUND UTILITIES SHOULD BE CONSIDERED APPROXIMATE AND SHOULD BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION ACTIVITIES.
9. TO THE BEST OF MY KNOWLEDGE AND BELIEF, THERE ARE NO EASEMENTS, ENCUMBRANCES OR RESTRICTIONS ON LOT 138-27.



REV.	DATE	DESCRIPTION	C/O	DR	CK

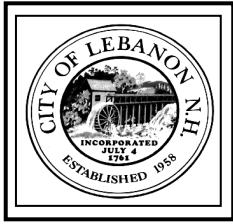
SITE PLAN
TAX MAP 138 LOT 27
(LAPLANTE ROAD)
GRAFTON COUNTY, LEBANON, NEW HAMPSHIRE
PREPARED FOR:
OAKES & SON CONSTRUCTION, LLC
84 HANOVER STREET LEBANON, NH 03766
LAND OF:
ROBERT J. OAKES
84 HANOVER STREET, LEBANON, NH 03766

SCALE: 1" = 40' OCTOBER 17, 2025

Surveying ♦ Engineering ♦ Land Planning ♦ Permitting ♦ Septic Designs

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CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Planning Board

FROM: Tim Corwin, Deputy Planning & Development Director

RE: Regulation of Agriculture & Agritourism
October 27, 2025 Planning Bd Work Session - Agenda Item 3.C

MEMO DATE: October 23, 2025

To encourage the preservation of New Hampshire's farms, the state legislature has enacted statutes that limit the ability of municipalities to regulate agricultural uses. The web of agricultural-related land use statutes are complex and have been amended in recent years to further restrain local decision-making with respect to the regulation of agriculture. These efforts include the adoption of provisions to also protect "agritourism".

The statutory definition of "agriculture" has been expanded in recent years to include "agritourism" activities that would not otherwise meet the "customarily incidental" standard for identifying permissible "accessory" uses. Specifically, "agritourism" is defined in RSA 21:34-a, II(b)(5) as:

[A]ttracting visitors to a farm to attend events or activities that are accessory uses to the primary farm operation, including, but not limited to, being provided a meal, making overnight stays, enjoyment of the farm environment, education which shall be instruction or learning about the farm's operations, or active involvement in the activities of the farm.

How broadly the courts will interpret this language remains to be seen, and it will be the responsibility of the Zoning Administrator to make a determination on a case by case basis (which determination can be appealed to the Zoning Board of Adjustment).

In Lebanon, Site Plan Review has not been required for agricultural uses and structures. This practice was codified in 2021 with an amendment to Section II of the Site Plan Review Regulations adding a definition for "land development". The definition of "land development" is important in that only "land development" is subject to the Site Plan Review Regulations. A building, use, or activity that does not meet the definition of "land development" is not subject to the Site Plan Review Regulations. Currently, "land development" is defined in Section II as follows:

Land development. A physical improvement or alteration to a lot, whether vacant or improved, and/or an increase in the size of a building, and/or a change of use to a non-residential, mixed use, or multi-family dwelling. The term "land development" does not include the following: [...]

- Buildings and structures in the Rural Lands (RL) One, Two, and Three zoning districts that are used for an agriculture use. [...]

Pursuant to the definition of "land development," any building or structure proposed to be constructed in the RL Districts for an agriculture use – regardless of the size of the building or

structure – is exempt from Site Plan Review. The purpose of exempting agricultural buildings (which are still subject to the Zoning Ordinance and Building Code) is to encourage the preservation and growth of farms in the City by removing regulatory hurdles.

“Agriculture” uses also include uses that are “accessory” to the agricultural use. An “accessory” use is a use that is “customarily incidental” to the principal use. In the context of agriculture, an example of an “accessory” uses would be the operation of a roadside farmstand to sell products harvested on site. This is because a roadside farmstand is “customarily incidental” to the primary agricultural use. “Agricultural” uses necessarily include any other use that qualifies as an “accessory use” (using the “customarily incidental” standard). Consequently, since agricultural buildings are exempt from Site Plan Review, *accessory* agricultural buildings are, implicitly, also exempt from Site Plan Review. So, for example, on a farm property that grows apples, a large retail building could be constructed to market and sell the products created from the apples grown on-site (apple cider, apple donuts, etc.) without any review by the Planning Board.

Note that what is specifically excluded from the definition of “land development” are “*buildings or structures*” used for an agriculture use. Possibly as a result of oversight, what is *not* excluded are *site improvements*. So, for example, while a farmstand building is currently exempt from Site Plan Review regardless of the building’s size (generally speaking), a parking lot constructed for the farmstand building would NOT be exempt (and would require Site Plan Review if the size the parking lot meets or exceeds the jurisdictional thresholds set forth in Section 3.1).

Currently, agriculture is defined in the Lebanon Zoning Ordinance similarly to, but not identically to, the definition of “agriculture” as set forth in state statute (see RSA 21:34-a). For several reasons, staff recommends changing the Zoning Ordinance definition to match the statutory definition. A proposed Zoning Ordinance amendment to this effect was presented to the City Council on October 1st and is now moving through the Zoning Ordinance amendment process outlined in Section 1000 of the Zoning Ordinance. (It is anticipated the Planning Board will review the proposed amendment to the definition of “agriculture” – together with all other proposed Zoning Ordinance amendments – at the November work session.)

QUESTIONS FOR THE PLANNING BOARD

1. Should primary agricultural buildings and structures (e.g. a barn for animals, a storage building for farm equipment, a building for the processing of products grown on-site) continue to be excluded from the definition of “land development” (and therefore continue to be exempt from Site Plan Review)? Or is the existing exemption too broad and consideration should be given to limiting the exemption (e.g. only buildings of a certain size are exempt)?
2. Should *accessory* agricultural buildings and structures – including those used for agritourism - also continue to be exempt from Site Plan Review? If so, should site improvements for accessory agricultural uses also be excluded?
3. Should site improvements continue to be excluded? Or should the definition of “land development” be amended to clarify that site improvements undertaken in connection with an agricultural use (which includes accessory agriculture uses, which in turn includes agritourism uses) are also exempt?

Depending on the direction the Board wishes to take, a possible amendment to the definition of “land development” could look something like the following:

Land development. A physical improvement or alteration to a lot, whether vacant or improved, and/or an increase in the size of a building, and/or a change of use to a non-residential, mixed use, or multi-family dwelling. The term “land development” does not include the following: [...]

- Primary or principal agricultural activities, bBuildings and structures on properties located in the Rural Lands (RL) One, Two, and Three zoning districts. Accessory agricultural uses are not exempt and shall be subject to Site Plan Review as may be required pursuant to Section 3.1 ~~that are used for an agriculture use.~~ [...]

Should the Board choose to retain the definition of “land development” as is, agricultural buildings and structures – regardless of size and regardless of whether the building or structure is used for an *accessory* agricultural use (including agritourism uses) – will remain exempt from Site Plan Review. However, *site improvements* associated with any agricultural use or accessory use will require Site Plan Review if it is required pursuant to the jurisdictional thresholds set forth in Section 3.1.

Alternatively, should the Board choose to amend the definition of “land development,” the Board will first need to agree on the specific language and will then need to hold a public hearing on the proposed amendment prior to adoption.

DRAFT

**LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
MONDAY, SEPTEMBER 22, 2025 6:30PM**

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

MEMBERS ABSENT: Kellen Appleton

STAFF PRESENT: Tim Corwin (Deputy Planning Director), Nathan Reichert (Director of Planning & Development), Brian Vincent, (City Engineer), 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 said Ms. Romano and Mr. Cole would participate as regular voting members for this meeting.

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.

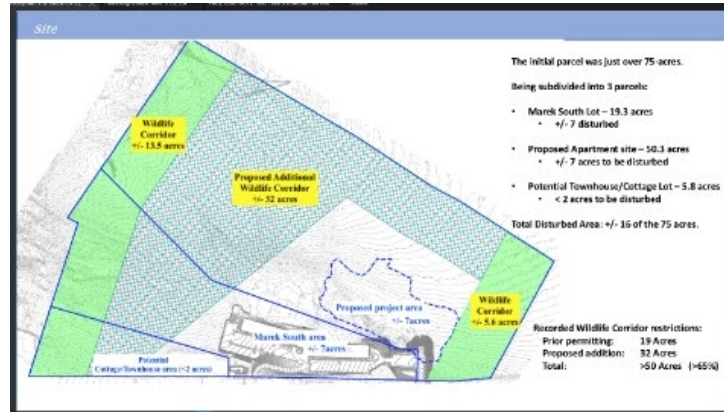
Mr. Corwin explained that this Conceptual Review was the first one that was considered required per the revised Site Plan Review Regulations. He explained what a conceptual review is and noted this is not technically a public hearing but is a conversation about the project concept.

Mr. Don Smith and Mr. Brenden Gilmore of Saxon Partners, and Mr. Dave Fenstermacher (VHB) were present on behalf of the applicant.

Mr. Smith gave an overview of the project concept, which will include a residential complex comprised of three, four-story units that will house 260 units. He said the units will be studio, one-bedroom, and two-bedroom units. He noted that a traffic study has not been done yet.

He noted that the site has some wetlands and wildlife corridor areas. He said the high value wetlands on the site have been reviewed by the ZBA and the Conservation Commission. He discussed the topography of the site. Mr. Fenstermacher discussed the types of wetlands that are on the site.

The group discussed how the site is very wet and how runoff from large developments with a lot of impermeable surfaces can lead to flooding in downtown Lebanon. Mr. Fenstermacher said the Alteration of Terrain (AOT) permit application will address any issues pertaining to flooding. He explained the proposed stormwater management plans for the site and said the project team will work with the City and state to ensure that downtown Lebanon does not experience flooding as a result of the development.



Mr. Smith noted that the rents for the units for this development will be similar to the rent rates for the Marek South residential development. He said the project team discussed the possibility of adding cottage housing around the proposed buildings but said cottage housing would have to be cost-effective. The group discussed how challenging it is to build new construction that is considered “affordable” housing.

Mr. Fenstermacher discussed the feedback the team received from the Tree Advisory Board, the Conservation Commission, and the Pedestrian and Bicycle Committee. He said parking for the site will include an underground garage and surface parking and discussed the expense of blasting on the site. He said the site topography is challenging.

Mr. Smith said the mix of units will be 25% studio apartments, 25% two-bed apartments, and 50% one-bed apartments. He said they planned to include approximately 380 parking spaces. Mr. Corwin advised the group that recent NH law prohibits municipalities from requiring developers to provide more than one parking space per dwelling unit in a development.

The group discussed the open/green spaces in the project plan. He said they plan to spaces that encourage community/gathering (ex: pocket parks, outdoor patio seating, fire pits, hot tubs, and grill stations) that are similar to what the other Marek developments have. They discussed the number of EV parking spaces that will be included and whether conduit could be laid in anticipation of for future additional EV chargers. Mr. Smith said the buildings will be solar ready, if any residents want to add solar panels. The group discussed whether the number of parking spaces could be reduced to increase the amount of green space in the center courtyard of the development.

Chair Faunce opened the discussion to the public and any members of other Lebanon Boards/Committees that may be present.

Ms. Sarah Riley, Chair of the Conservation Commission, the Conservation Commission recommended that the NH DES (Department of Environmental Services) not approve a wetland permit for the applicant. She said there would be a large wetland impact. She said the site would require a lot of blasting for this project. She suggested the Planning Board go on a site visit to see the wetness of the site. Chair Faunce asked for a show of hands regarding whether the Board

1 wanted to participate in a site visit and a majority of the Board members were in favor of a site
2 visit. Mr. Corwin said he would research possible dates/times for a site visit.

3
4 Mr. Steven and Ms. Cheryl Bayes (Quarry Hill Condominiums) asked what the impact of
5 blasting on the site might be on their property. Mr. Vincent explained that homeowners can agree
6 to pre- and post-construction surveys of their properties to show if the blasting caused any
7 damage to their properties.

8 9 **3. STUDY ITEMS**

10 **A. Review of Proposed Amendment by the Lebanon Energy Advisory Committee** 11 **(LEAC) to Section 607.8 of the Zoning Ordinance (Electric Vehicles)** 12

13 Ms. Sherry Boschert of the Lebanon Energy Advisory Committee's EV Subcommittee gave an
14 overview of the proposed amendments to Section 607.8 of the Zoning Ordinance. She said they
15 have learned a lot since EV regulations were adopted and included in the zoning ordinances in
16 2023, and the current proposed amendments address information they have learned in the last
17 two years. The group discussed EV trends and usage, requirements, and specifications at length.
18 Mr. Smith said developers are usually willing to include conduit for EV chargers but often feel it
19 is not smart to purchase switch gear early on in a project because the tech changes rapidly and
20 often must be updated by the time the project is completed.

21 22 **B. Review of Proposed Amendment by Jon Livadas to Section 607.8 of the Zoning** 23 **Ordinance (Electric Vehicles)** 24

25 Mr. Jon Livadas explained the labor hours and days involved in laying conduit. He said he is not
26 trying to avoid adding EV chargers and equipment for his project. He said it is unfair to assume
27 developers do not want to meet EV requirements. He said delays are often caused by distributors
28 who cannot provide equipment that won't be used for years because tech is changing rapidly.

29
30 Mr. Livadas suggested that the City reassign the overview and management of EV Regulations
31 from the ZBA to the Planning Board. He said zoning regulations are not as flexible as site plan
32 regulations, and developers would need to get a variance from the ZBA to accommodate
33 individual circumstances on a site. He said the Planning Board can review EV
34 requirements/needs for projects on a case-by-case basis. Mr. Corwin told the group that the
35 Planning Board in 2023 did not have an interest in reviewing EV regulations and that is how it
36 wound up under the purview of the ZBA. Mr. Livadas discussed his proposal for EV parking for
37 the project he is currently working on. He noted he would like to continue working with Ms.
38 Boschert and the EV Subcommittee to find the right solution for EV requirements for housing
39 developments in the City.

40
41 Chair Faunce called for a straw poll vote among the Board members on whether EV regulations
42 should be part of the Site Plan Review Regulations:

43 Results: 5 in favor; 3 not sure / do not have enough information; 1 abstaining
44

45 ***A MOTION was made by Richard Ford Burley that the Lebanon Planning Board advises the***
46 ***City Council that the Planning Board endorses moving EV charging regulations from the***
47 ***Zoning Ordinance to the Site Plan Review process. To this end, the Planning Board commits***
48 ***to attempting to revise the Site Plan Review Regulations in time for any potential Zoning***
49 ***Ordinance modifications in January of 2026. The MOTION was seconded by Eric Stacy.***

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

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

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

C. Status Report re: Lebanon Housing Task Force activities and Master Plan Chapter 7 Update

Mr. Reichert and Ms. Hembree reviewed Lebanon's housing demographics and presented a Market Analysis and Housing Need Assessment. They discussed trends and challenges in housing. Mr. Reichert said they have been holding public engagement sessions and will be at Salt Hill Pub and the Lebanon Farmers Market next week to gather data from residents.

A MOTION was made by Andrew Faunce to extend the meeting to 9:50pm. The MOTION was seconded by Wes Ashford.

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

D. Discussion re: Capital Improvement Program (CIP) Policies and Procedures for 2027-2032 CIP - Chair Faunce said this item will be discussed at a future meeting.

4. COMMITTEE REPORTS - None

5. OTHER BUSINESS - None

6. APPROVAL MINUTES – August 11, 2025, August 25, 2025, September 8, 2025

Chair Faunce said the minutes will be reviewed and approved at the next Planning Board meeting.

7. ADJOURNMENT

A MOTION was made by Richard Ford Burley to adjourn the meeting at 9:50pm. The MOTION was seconded by Andrew Faunce.

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

The meeting adjourned at 9:50pm.

Respectfully submitted,
Paula Roux
Recording Secretary