

FINAL

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

MEMBERS PRESENT: Andrew Faunce (Chair), Kellen Appleton, Don Collins, Patrick Kennelly, Karen Zook (City Council Rep), Kathie Romano (alt) (REMOTE), Steven Cole (alt)

MEMBERS ABSENT: Richard Ford Burley (Vice Chair), Wes Achord

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

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. Ms. Romano said she is participating remotely because she is out of town. She said no one was in the room with her during the meeting. Chair Faunce said Ms. Romano and Mr. Cole will be full voting board members for this meeting.

2. NOTICE OF REGIONAL IMPACT

The following applications were received by the Planning and Development Department on or before December 08, 2025:

- **Robert J. Oakes, Laplante Road (Tax Map 138, Lot 27), zoned R-3, RL-1 & RL-2: Pursuant to Section 10.2 of the Subdivision Regulations, applicant requests Design Review of a Preliminary Layout for a proposed Planned Unit Residential Development (PURD) containing 13 residential units together with related site improvements. PB2026-01-PMAJ**
- **Execusuite, LLC, 22 School Street (Tax Map 92, Lot 2), zoned R-O: Applicant requests Site Plan Review to add seven (7) additional dwelling units within the existing building for a total of _____ dwelling units, together with associated site improvements. PB2026-02-SPR**

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

A MOTION was made by Andrew Faunce that the applications of Robert J. Oakes, Laplante Road (Tax Map 138, Lot 27) PB2026-01-PMAJ and Execusuite, LLC, 22 School Street (Tax Map 92, Lot 2), PB2026-02-SPR do not have the potential for regional impact. The MOTION was seconded by Kellen Appleton.

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

Chair Faunce said Item 3C will be heard first, which is out of the order of the meeting agenda.

3. PUBLIC HEARING ITEMS

C. Ocom Path, Inc. and Trustees of Dartmouth College, 11 Oak Ridge Road (Tax Map 4, Lot 6), zoned R-3: On May 17, 2021, applicant obtained a Conditional Use Permit per Sections 501.1 & 501.2 of the Zoning Ordinance, Final Major Subdivision approval, and Site Plan Review approval of a proposed Planned Unit Residential Development (PURD) (PB2020-31-FMAJ). Applicant now requests an amendment to the project approval to convert ownership of the parcel into a twenty-one (21) unit condominium. PB2025-53-FMAJ

Mr. Corwin said the applicant wants to convert a multi-unit rental development into condominium units. He said that kind of conversion meets the regulation of major subdivision. He also reviewed Section 6.3 subdivision regulations, which states that properties are exempt from subdivision review by the Planning Board if the Planning Director determines that no material change in use has been made to the plans.

[At 6:40pm, Ms. Zook arrived at the meeting.]

He said Staff reviewed the application and determined there has been no material change in use to the plans, that it meets the specifics of Section 6.3 exemption, and, therefore, does not require approval by the Planning Board. Mr. Corwin explained the appeal process. He said the Board members can review the application and decide whether it agrees with the opinion of Staff or if it feels the application should be subject to subdivision review. The Board members said they agreed with Staff's recommendation and no review is needed.

Chair Faunce opened the public comment portion of the hearing. No one from the public spoke. Chair Faunce closed the public comment portion of the hearing.

Chair Faunce said there is no further discussion needed for this application.

A. Walhowdon Farm, Inc., 24 & 26 Walhowdon Way (Tax Map 138, Lot 5), zoned RL-2 & RL-3, and Mark & Jadene Patch, 0 Churchill Way (Tax Map 138, Lot 9), zoned RL-2: Request for approval of a Boundary Line Adjustment. PB2025-51-BLA

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 Walhowdon Farm, Inc., 24 & 26 Walhowdon Way (Tax Map 138, Lot 5), PB2025-51-BLA is complete enough for the Planning Board to accept jurisdiction and commence review. The MOTION was seconded by Kellen Appleton.

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

Mr. Eric Mitchell (land surveyor) was present on behalf of the applicant. He gave an overview of the boundary line adjustment request, which would result in 13 acres of an adjacent property on Churchill Way being added to the Walhowdon Farm property. He said an easement would be put

on an existing access road from Churchill Way to the farm. He said the applicant is asking for waivers from the requirement to show all the buildings and everything on the farm property and the requirement to do a full boundary survey on the farm property. He confirmed that the property boundaries have been determined to be the way they are depicted on the plan.

Chair Faunce opened the public comment portion of the hearing.

Ms. Lisa Lance (Ward 2) said her property abuts the Churchill Way property. She asked for more clarity on the reason for the easement request for the access road. She said it is a dirt road now and said she wondered if it would be made into an actual road. Mr. Mitchell said the road should not be changed physically. He said the reason for the easement is to ensure the farm has legal access to use the trail.

Chair Faunce closed the public comment portion of the meeting.

A MOTION was made by Patrick Kennelly that the Planning Board grants the waiver from Section 8.2.A.5 of the Subdivision Regulations requiring the depiction of all existing structures on the subject lot, finding that strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations.

The MOTION was seconded by Kellen Appleton.

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

A MOTION was made by Patrick Kennelly that the Lebanon Planning Board approves the application of Walhowdon Farm, Inc. and Mark & Jadene Patch for a proposed Boundary Line Adjustment between Tax Map 138, Lots 5 and 9, zoned RL-2 & RL-3, PB2025-51-BLA, as shown on a plat titled "Minor Lot Line Adjustment Plan," prepared by Eric C. Mitchell & Assoc., Inc., dated November 7, 2025, Job No. 88-84, 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, within two (2) years from the date of this Notice of Action, a) all conditions precedent have been met and b) the plat and this Notice of Action have been recorded in the Grafton County Registry of Deeds. (Sections 7.11 & 7.12.B) The plat and Notice of Action shall be recorded by the Planning & Development Department in accordance with Planning & Development Department recording procedures.***
- 2. This approval shall automatically expire and be considered void upon failure to meet any of the conditions of approval set forth herein within the timeframes specified.***

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

- 1. The applicants shall provide a revised plat depicting the following changes to the satisfaction of the Planning and Development Department:***
 - a. Correct the proposed lot area of Tax Map 138, Lot 9, to 676,742 sq. ft.***
 - b. Provide the date and description of the plat revisions. (8.2.A.1)***
- 2. 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) to the Planning and Development Department.***
- 3. Regarding the proposed access easement across Tax Map 138, Lot 9, the applicants shall satisfy the requirements of Section 215.2.A of the Zoning Ordinance, including but not limited to execution of an easement agreement and obtaining a Zoning Permit.***
- 4. 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.***
- 5. The applicants shall submit two (2) mylars of the approved plat and applicable recording fees to the Planning and Development Department in accordance with Planning & Development Department recording procedures. (8.1.D & 7.11)***
- 6. The applicants shall submit the executed deeds of the land transfer together with applicable recording fees to the Planning and Development Department to be recorded contemporaneously with the plat.***

The MOTION was seconded by Don Collins.

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

A MOTION was made by Patrick Kennelly that the Lebanon Planning Board authorizes the Chair to sign the plat of Walhowdon Farm, Inc. and Mark & Jadene Patch, PB2025-51-BLA, titled, "Minor Lot Line Adjustment Plan," prepared by Eric C. Mitchell & Assoc., Inc., dated November 7, 2025, Job No. 88-84, and as revised per the Planning Board's conditions of approval.

The MOTION was seconded by Kellen Appleton.

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

- B. Cicotte Holdings, LLC, 51 Evans Drive (Tax Map 78, Lot 40, Plot 200), zoned R-O-1: Request for Site Plan Review per Section 3.1.D of the Site Plan Review Regulations to expand the outdoor vehicular storage area for an existing vehicular sales use together with associated drainage improvements. The proposed site plan will replace the site plan previously approved on April 28, 2025 (PB2024-48-SPRCUP). PB2025-52-SPA**

Chair Faunce said this application request has been presented before, and this current submission seems to be the same as the previous application but does not include the approved site improvements that were part of the original agreement. He said the applicant submitted a list of waivers for several of the site improvement requirements, so that may be why the site improvements are not included.

Attorney Barry Schuster, Mr. Adam Morse (Engineering Ventures), Ms. Johanna Cicotte (Cicotte Properties) were present on behalf of the client. Attorney Schuster gave an overview of the history of this application. He said the application was the subject of litigation between the applicant and the City because, after a zoning change, the dealership was found to be in violation and the Zoning Board refused to hear the applicant's appeal of the violation determination. He said a settlement of that litigation was reached between the parties. He said the City has agreed that the applicant may pursue one of the following three avenues for physical compliance:

- Implement the plan that was approved last spring
- File an application for an amended site plan on or before November 10, 2025
- Remove the asphalt, remove the paving

He said the applicant has chosen the second option – to present an amended plan – which is why it is being presented at this meeting. Chair Faunce said he'd like to have legal counsel review this request in light of the language of the settlement agreement. Ms. Appleton said they thought Staff had recommended that the Board find the previous application was not complete enough for review. Chair Faunce recommended the hearing be postponed to allow the applicant to review the items that were identified as needed for completeness by Staff and to give the Board time to have legal review.

A MOTION was made by Andrew Faunce to postpone the public hearing on this application – to give the applicant time to work on completeness and to allow the Planning Board to work with legal counsel with respect to accepting a subsequent application – to the January 12, 2026 Planning Board meeting. The MOTION was seconded by Kellen Appleton.

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

4. STUDY ITEMS

A. Review of proposed amendments to Section 608 of the Zoning Ordinance (EV regulations) and related proposed site plan amendments

Mr. Reichert gave an overview of the EV Regulations Task Force's activity related to the discussion about the zoning ordinance amendments related to EV Regulations. He discussed how the task force decided the regulations would remain with the Zoning Board, but some identified situations that could trigger site plan review by the Planning Board. He also explained the group's decisions regarding investment by the developers for EV hardware and technology. Mr. Reichert said the new proposal was provided in the agenda packet.

The group discussed the details of the new proposal, which Mr. Reichert said replaces the previous amendment proposals by Mr. Jon Livadas and the Lebanon Energy Advisory Committee (LEAC), at length. Mr. Collins and Ms. Appleton said (during the task force deliberation) there was some uncertainty about enforcement of expansion of the number of EV parking spaces at a development in response to increased occupancy. Ms. Appleton said the zoning amendment on its own does not ensure enforcement; the site plan review by the Planning Board is needed.

Chair Faunce suggested the Planning Board include a note in its recommendation of the proposed EV Regulation amendments that additional details (related to the triggering and enforcement of increasing the number of EV parking spaces) need to be sorted out. He said he

felt the current proposal was almost like a good Part 1, but a Part 2 should perhaps be a discussion held – maybe within the next quarter or two quarters of next year – about the triggering mechanism related to enforcing the expansion of spaces and site plan review.

Ms. Sherry Boschert (EV Subcommittee of LEAC) said the requirement of an expansion plan could include notifying the residents about the possibility of the expansion of the number of EV spaces. She explained the current proposed EV Regulations amendment in detail to the group.

The group discussed the impact that the proposed zoning amendments might have on smaller developments (one-family homes with ADUs and two-family homes). Ms. Romano asked if local electricians have been updated on these proposed changes so they understand what the requirements are and how they can be affordably achieved.

Mr. Livadas and Ms. Boschert said they would be available to provide information during Planning Board site plan review related to EV Regulations.

A MOTION was made by Kellen Appleton that the Planning Board endorse the EV Regulation amendment as proposed.

Chair Faunce asked that the following be added to the motion: “That the Planning Board would welcome the City Council's endorsement and support for expediting the Planning Board and its allies the creation of the site plan review materials that will be the underpinning of the delivery of the service.” The following amended motion was put to vote:

A MOTION was made by Kellen Appleton that the Planning Board endorses the EV Regulation amendment as proposed; The Planning Board would welcome the City Council's endorsement and support for expediting the creation of the site plan review materials (by the Planning Board and its allies) that will be the underpinning of the delivery of the service. The MOTION was seconded by Don Collins

****The MOTION was approved (4 -2, with Zook abstaining).
Faunce, Kennelly, Collins, Appleton: aye
Romano and Cole: nay***

B. Review and Comment to City Council on Proposed Zoning Map and Text Amendments – continued from November 24, 2025

Mr. Richert said this item is a continuation of the discussion from the last meeting (November 24, 2025). He reviewed the amendments that were discussed at the last meeting.

Mr. Reichert said some maps that were discussed at the last meeting did not get into that meeting's agenda packet. He said those maps have been included in the agenda packet for this meeting. These maps relate to zoning changes related to

- Centerra/Alterra area
- LaBombard Rd area
- Area south of Evans St

The group discussed the amendments that were mentioned at the November 24, 2025 meeting.

Mr. Dan Nash said he brought follow-up information that was requested at the last meeting: he said there are three non-RockRidge parcels that are not affected by his proposed amendments.

He said abutters have not yet been notified, but Mr. Reichert said abutters would be notified a week prior to the election (when the zoning amendment would be on the ballot). The Board members suggested the abutters be notified earlier than one week before the election.

A MOTION was made by Kellen Appleton that the Planning Board approves the proposed zoning amendments 1- 20, with the exception of Amendment 13 (which has been retracted) and petition Amendment 3, as presented the December 8, 2025 Planning Board meeting. The MOTION was seconded by Andrew Faunce.

****The MOTION was approved (6-0 with Zook abstaining).***

C. Review of and Discussion re: Master Plan Update and Implementation Process

Mr. Corwin said Staff has suggested this item should be discussed at the next meeting.

5. APPROVAL MINUTES – November 10, 2025

Amendments: Pg 3 line 45 HOA not HOV

A MOTION was made by Andrew Faunce to approve the November 10, 2025 Planning Board Meeting minutes as amended. The MOTION was seconded by Kellen Appleton.

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

6. ADJOURNMENT

A MOTION was made by Kellen Appleton to adjourn the meeting at 9:03pm. The MOTION was seconded by Patrick Kennelly.

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

The meeting adjourned at 9:03pm.

Respectfully submitted,
Paula Roux
Recording Secretary

The amendments included in this packet include:

1. State Legislative Updates:
 - a. **Amendment 1:** HB1361: Manufactured Homes
 - b. **Amendment 2:** HB631: Multifamily Residential
 - c. **Amendment 3:** HB284: Residential Parking Requirements
 - d. **Amendment 4:** HB577: ADUs
2. Map Amendments and corresponding text amendments:
 - a. **Amendment 5:** Centerra/Alterra
 - b. **Amendment 6:** Conservation Area
 - c. **Amendment 7:** LaBombard Road
 - d. **Amendment 8:** Heater Road
 - e. **Amendment 9:** Wildlife Corridor Map and Text
 - f. **Amendment 10:** Northern Lebanon Use Tables & Text
3. City Board, Commission, Committee Sponsored Amendments
 - a. **Amendment 11:** Section 408: Historic District (Heritage Commission)
 - b. **Amendment 12:** Mobile Food Service Vending Ordinance (Food Truck)
 - c. **Amendment 13:** EV Regulations (LEAC Sponsored)
4. Text Amendments
 - a. **Amendment 14:** Section 608: Signs; Definitions: Window Signage Streamlining
 - b. **Amendment 15:** Section 411: Pattern Zones Overlay District
 - c. **Amendment 16:** Section 509: Cottage Cluster Developments
5. Misc & Technical Amendments
 - a. **Amendment 17:** Definition of *Care and Treatment of Animals* change of corresponding use tables.
 - b. **Amendment 18:** Section 1000
 - c. **Amendment 19:** Definition of Lot & Definition of Agriculture
 - d. **Amendment 20:** Changes to Impact Fees