

FINAL

**LEBANON ZONING BOARD OF ADJUSTMENT
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE
MONDAY, July 6, 2026
7:00 PM**

MEMBERS PRESENT: Chair Jeremy Katz, Vice Chair Dave Newlove, Rupert Burtan

MEMBERS ABSENT: Michael Morris, Paul McDonough

STAFF PRESENT: Nathan Reichert – Zoning Administrator

1. CALL TO ORDER

Chair Katz called the meeting to order at 7:02 PM.

Mr. Reichert gave the Right to Know, NH RS 91A public announcement.

2. APPROVAL OF MINUTES

A. June 1, 2026

Mr. Burtan MOVED to approve the June 1, 2026, minutes as presented in the July 6, 2026, packet.

Seconded by Mr. Newlove.

**The Vote on the Motion was Unanimous, with Mr. Newlove abstaining. (2-0-1)*

Chair Katz announced that there is an opportunity for any applicant this evening to continue their hearing because there are only 3 members present. In order for relief to be granted there must be at least 3 supporting votes.

The Execusuite Hearing will not be heard tonight as there is not a quorum of members as one members present is a recusal. Therefore, it is not possible to get 3 votes tonight. It will be heard at the next meeting in August.

3. PUBLIC HEARING ITEMS

- A. Jacob Furlon & Kayla Betit, 49 Storrs Hill Rd (Tax Map 136, Lot 15), Zoned RL-2:** The applicants request a Variance from Section 313.3, Pursuant to Section 801.2, of the Zoning Ordinance to allow an addition to the existing single-family home to be located +/- 21 ft from the right-side property line where 35 ft is required. **ZB2026-12-VAR**

Jacob Furlon and Kayla Betit appeared on behalf of the application. They are trying to build an addition to address a couple of problems with their house. They believe the hardship relates to the unusual orientation of the house on the property. Their side yard exists in a steadily sloped area. It is not an area that they or the neighbor would potentially use. They believe the slope is a safety hazard. Additionally, because the nature of the roof of the house is so sloped it drops snow on anyone accessing the home. It is difficult to address the slope of the roof, and due to the orientation of the house it is most difficult to build

in any direction other than the front side. There are numerous areas with topographical issues on their lot that prohibit the adding of an addition, relocating the alternative entrance based on the location of the house on the property, and the limitations such as the location of the septic tank. The small distance to the property lines on the already existing house limits where they can expand. It would not have a negative impact on the neighbors.

During the winter the front entrance was not accessible due to the snow. This would have prohibited any access for emergency services if they were needed. They believe this expansion would improve the safety issues.

The house is placed close to the property line and there are limitations on the terrain of the property. These are the hardships. They are willing to accept the proposed condition proposed by the Zoning Official.

Chair Katz opened the Public hearing and hearing no one the Public Hearing was closed.

Mr. Newlove MOVED On July 6, 2026, at a duly-noticed meeting of the Lebanon Zoning Board of Adjustment, there appeared Jacob Furlon and Kayla Betit regarding 49 Storrs Hill Rd (Tax Map 136, Lot 15), Zoned RL-2: The applicants request a Variance from Section 313.3, Pursuant to Section 801.2, of the Zoning Ordinance to allow an addition to the existing single-family home to be located +/- 20 ft from the right-side property line where 35 ft is required.

I. FINDINGS OF FACT

Based on testimony given, application materials presented, and supporting documents submitted, the Lebanon Zoning Board of Adjustment makes the following findings of fact:

1. No One from the public spoke.
2. The hardship is the fact that the house is on the property line, and two, there is topographical challenges along with your septic that preclude it, from construction happening elsewhere on the house.

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 Board concludes the following with respect to the Variance criteria set forth in section §801.2 of the Zoning Ordinance

1. The variance **will not** be contrary to the public interest.
2. The spirit of the ordinance **is** observed.
3. Substantial justice **is** done.
4. The values of surrounding properties **are not** diminished.
5. Literal enforcement of the provisions of the ordinance **would** result in an unnecessary hardship. Owing to **[the following]** special conditions of the property that distinguish it from other properties in the area that were listed on the Findings of Fact.

6. There **is not** a fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property.
7. The proposed use **is** a reasonable one.

III. **DECISION**

Now therefore be it resolved, the Lebanon Zoning Board of Adjustment, on this **6th day of July, 2026**, hereby **GRANTS** the Variance from Section §313.3, pursuant to Section §801.2 of the Zoning Ordinance to allow an addition to the existing single-family home to be located +/- 20 ft from the right-side property line where 35 ft is required, as set forth above and per testimony, plans, and materials submitted, and per the following conditions:

1. The Applicant shall apply for a building permit.
2. At the time of the footing inspection the Zoning Official or Building Official shall confirm that the construction layout meets the setback as approved by the Zoning Board. If the Zoning Official or Building Official cannot make a confirmation then a Land Surveyor may be required, at the Land Owner's expense, to confirm the provided distance conforms with the dimensions of the Zoning Board's decision and that a formal As-built drawing may be required.

Seconded by Mr. Burtan.

****The Vote on the Motion was (3-0).***

- B. *Execusuite, LLC, 22 School St (Tax Map 92, Lot 2), Zoned R-O:*** The applicant requests a Special Exception from Section 311.2, pursuant to Sections 601 and 801.3 of the Zoning Ordinance, to convert the existing mixed-use building to a 12-unit multi-family dwelling.
ZB2026-11-SE

This hearing was postponed

- C. *Guyer Carigan Legion Post #22, 189 Mechanic St (Tax Map 105, Lot 113), Zoned GC:*** An appeal of the Zoning Administrator's decision that 1) Section 206 of the Zoning Ordinance applies to the installation of a new sign and 2) the sign permit application submitted on 2/17/2026 is incomplete, pursuant to Section 801.1 of the Zoning Ordinance **ZB2026-10-AAD**

Staff handed out a revised narrative for the application. It was reviewed by the applicants and the members.

Leslie St. Pierre and Barry Schuster appeared on behalf of the obligation. The Board offered the applicants the opportunity to postpone the hearing. Because this is the special exception related to the 25-foot triangle, if the Board were to approve this, the applicants would need to make an additional application for the sign to the Zoning administrator.

The applicants are asking to replace the sign in the same location that it has always been. They provided a picture from Pathways that shows that the sign is within their property. The planter that surrounds the sign misses their property by a small distance on a couple of sides, within the right of way.

Chair Katz asked about the triangle shown in a picture. The triangle is not the location where the planter is, and the sign is not within that triangle. The source of the triangle on the drawing is unknown. The sign would be in the planter, and the planter is 1.7 feet and 1.02 feet in the right of way on a couple of sides.

A special exception is allowed in this zone for a sign inside the triangle. If the location is approved tonight an additional administrative process would be required. The Legion admits the sign was put there without approval, they were wrong. Being here tonight is the first step to remediate any violation.

The request here is not in the special exception for an approval to place a sign there. It's an approval to authorize a permitted sign to be placed there at the time that you were to apply and get a sign permit. The applicants agreed that is a fair statement.

The character of the area is not adversely affected because there are several commercial locations on Mechanic Street. The previous sign was much larger. The proposed new sign is 5 feet by 6 feet. It is 10.5 feet high with the post and the sign. They believe there is no hazard because the sign has always been in this location. They do not know of any accidents from pulling into or out of the yard even though the previous sign was lower and considerably larger. There is a clear line of vision. The sign is passed before anyone faces traffic coming from either direction. This new sign would add the feature of being able to modify some electronic messages on an occasional basis.

Chair Katz restated that this is an incredibly limited request for relief. It does not give the approval for a sign, merely approval to place it within that planter.

Chair Katz opened the Public Hearing. No one from the Public Spoke.

Staff said for clarification. The concept for bifurcating the application, is an interesting ask. The totality of the sign and the placement is significant regarding the sight lines. The drawing that was submitted within the latest application would document the location of the sign by updating the drawing that was recently submitted by the applicants and would update the application.

It is strongly recommended that the applicants respond to the need for a complete list of the administrative requirements. The formal application needs to meet all the details required by staff for a complete application. There are additional requirements to benefit the use of the electronic, LED driven sign. And the triangle should be overlayed in the correct place on the Pathways drawing provided in the application. Many of the signs on Mechanic Street are currently in the right-of-way, based on the sidewalk work that has been undertaken by the City.

Hearing no other comments, the public hearing was closed.

Chair Katz MOVED On July 6, 2026, at a duly-noticed meeting of the Lebanon Zoning Board of Adjustment, there appeared Leslie St. Piere and Attorney Barry Schuster regarding 189 Mechanic St (Tax Map 105, Lot 113), Zoned GC, The applicant requests a Special Exception from Section 206, pursuant to Section 801.3, of the Zoning Ordinance to allow a freestanding digital sign pursuant to Section 608 Signs to be located within the 25 ft sight distance triangle at a Street and Driveway Intersection.

I. FINDINGS OF FACT

Based on testimony given, application materials presented, and supporting documents submitted, the Lebanon Zoning Board of Adjustment makes the following findings of fact:

1. Applicant seeks this special exception as part of the process of remedying a violation for a sign installed in advance of receiving a permit.
2. The sign is 6' x 5' = 30 square feet on a pedestal that is 10' 6" high.
3. The sign is, according to testimony, not in the public right of way, although the submitted plan shows that the sign's planter does encroach into the right of way.
4. The sign is within the 25ft sight distance triangle and requires special exception relief pursuant to the ordinance for an approved sign to be located there.
5. The applicant submitted multiple exhibits that the Board relies upon in this ruling, specifically the Stewart Signs design document, A pathways consulting survey, and an enlarged view that shows the planter (but not the sign) encroachment into the right of way.
6. This special exception in question does not authorize the sign, but rather authorizes the place where an approved sign may exist within the site distance triangle. Applicant and City Staff both agree that the actual sign must be permitted through the administrative permit process, which Applicant shall engage in with Staff.
7. No member of the public spoke either for or against the application.

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 Board concludes the following with respect to:

Special Exception criteria set forth in §801.3 of the Zoning Ordinance:

1. The Special Exception is specifically authorized by Section §801.3 of the Zoning Ordinance.
2. The following criteria of Section §801.3 **have been** met:
 - a. The reasonable use of abutting properties shall not be adversely affected by the proposed expansion.
 - b. The proposed expansion shall not render the lot size proportionately less adequate, i.e. any aspect of the building or structure that is currently nonconforming cannot be made more nonconforming in the absence of a variance.
3. There **are no** existing violations of the Zoning Ordinance on the property that the granting of the Special Exception would not remedy.

The Board notes that this Special Exception is a necessary precursor to the resolution and remediation of the existing violation, but not a complete remedy in itself. The only way to

remedy the violation will be to complete the application for and receive the administrative permit, or else to remove the sign.

4. The character of the area **will not** be adversely affected.
5. **No** hazard or nuisance will be created.
6. The capacity of existing or planned community facilities and services (including streets and highways) **will not** be adversely impacted.
7. The granting of the Special Exception **will not** result in undue municipal expense.
8. The proposed Special Exception **will** be developed in a manner compatible with the spirit and intent of the ordinance.
9. The general welfare of the City **will** be protected.

III. DECISION

Now therefore be it resolved, the Lebanon Zoning Board of Adjustment, on this 6th day of July, 2026, hereby **GRANTS** the requested Special Exception to allow a freestanding digital sign to be located within the 25 ft sight distance triangle at a street and driveway intersection pursuant to §801.3 of the Zoning Ordinance as set forth above and per testimony, plans, and materials submitted, and per the following conditions:

1. Applicant will submit updated plans that show the exact placement within triangle when making its application for sign permit with the administrative officer.
2. The Board clarifies that this relief is exclusively for the location of a proposed 5x6 sign on a 10'6" pedestal within the sight triangle and not approval of the sign itself, which must come through the administrative permit process with the Zoning Officer as well as a subsequent building permit with the Building and Codes officer.

Seconded by Mr. Newlove.

**The Vote on the Motion was (3-0).*

4. STAFF COMMENT

A. 2026 Meeting Schedule Changes

This will be discussed at the August meeting when there is a full Board.

B. Proposed zoning amendments: Sections 205 and 604

This will be reviewed at the next meeting. Chair Katz understands it but prefers to defer to the full Board.

5. ADJOURNMENT

Mr. Newlove MOVED to adjourn the meeting at 8:12 PM.

Seconded by Mr. Burtan.

****The Vote on the Motion was (3-0).***

Respectfully submitted,
Linda Billings, Recording Secretary