

**FINAL**

**LEBANON PLANNING BOARD**  
**Regular Meeting**  
**Monday, September 14, 2020 – 6:30 pm**  
**Remote Via Microsoft Teams**  
**LebanonNH.gov/Live**

**ROLL CALL OF**

**MEMBERS PRESENT:** Bruce Garland (Chair), Jim Winny (Council Representative), Kim Chewing, Joan Monroe, Kathie Romano, Jeremy Rutter, and Gregorio Amaro (Alt.)

**MEMBERS ABSENT:** Matthew Hall (Vice-Chair) and Laurel Stavis

**STAFF PRESENT:** David Brooks (Planning Director), Tim Corwin (Senior Planner), Erica Brittner (Assistant City Engineer)

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**1. CALL TO ORDER:** Chair Garland called the meeting to order at 6:30 PM.

A. Review of meeting procedures and NH RSA 91-A “Right-to-Know” requirements.

Mr. Corwin shared the State directive and participation details for the online meeting in Microsoft Teams. All members identified themselves.

**2. NOTICE OF REGIONAL IMPACT:**

**Janet Wong (applicant) and Virginia Wong (property owner), 43 Mechanic Street (Tax Map 106, Lot 34), zoned LD:** Request for Site Plan Review to convert an existing three (3) unit multi-family dwelling to a six (6) unit multi-family dwelling. **#PB2020-27-SPR**

**One Mechanic Street, LLC and FSP LLC, 1 Mechanic Street (Tax Map 91, Lot 264) and 0 Foundry Street (Tax Map 91, Lot 262), zoned LD:** Request for Site Plan Review to convert an existing three-story commercial building at 1 Mechanic Street (Tax Map 91, Lot 264) to an 18-unit multi-family dwelling, together with associated site improvements, and a request for a Conditional Use Permit per Section 607.5.A of the Zoning Ordinance to allow parking for the proposed multi-family use to be located at 0 Foundry Street (Tax Map 91, Lot 262). **#PB2020-28-SPR**

Mr. Brooks recommended that neither application has the potential for regional impact.

*A MOTION by Joan Monroe that the applications listed above do not have potential for regional impact.*

*Seconded by Kathie Romano*

*Roll Call Vote:*

*Voting in Favor – Ms. Chewing, Ms. Romano, Mr. Winny, Ms. Monroe, Mr. Rutter, Mr. Garland*

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

**3. NEW APPLICATIONS – Completeness Review and Public Hearings:**

A. Dana E. Seguin, 17 Summer Street (Tax Map 77, Lot 151), zoned R-3: Request for minor

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subdivision review per Section 6.3 of the Subdivision Regulations to convert an existing 3-unit rental building into 3 condominium units. **PB2020-23-MIN**

Mr. Brooks gave an overview of the regulation at issue. The Subdivision Regulations Section 6.3 was modified in relation to conversion of existing buildings into a condominium form of ownership. Prior to 2013, such a change did not trigger any review. Since 2013, such changes require subdivision review, but the Board's involvement is limited to ensuring that the underlying existing use is not materially altered by the conversion. Mr. Corwin stated that he reviewed the application, and Staff does not see a substantial change in use and feels there is no need to review this as a full application.

Dana Seguin, Property Owner and Atty. Nicholas Burke appeared online to speak on behalf of the request.

Mr. Burke explained that Mr. Seguin filed a Declaration of Condominium in the summer of 2019 with Grafton County. He was not aware of the change in regulations and did not apply at that time. The property consisted of three residential apartment units which were converted to three condominium units for residential use. There were no changes to the structure, no improvements, and the residential use remained the same.

Mr. Corwin stated that Staff has reviewed the application and recommends that it is complete enough for the Planning Board to accept jurisdiction and commence deliberation.

***A MOTION by Joan Monroe that the application of Dana E. Seguin, 17 Summer Street (Tax Map 77, Lot 151), zoned R-3is complete enough for the Planning Board to accept jurisdiction and commence deliberation.  
Seconded by Jim Winny***

***Roll Call Vote:***

***Voting in Favor – Mr. Rutter, Ms. Monroe, Mr. Winny, Ms. Romano, Ms. Chewing, Mr. Garland  
\*The MOTION was approved (6-0).***

Ms. Romano inquired if this was a nonconforming three-unit building without the necessary upgrades to wiring, interconnected smoke detectors, and separate electric meters. She also questioned the status of fire inspections and building inspections. Mr. Brooks stated that this is not an illegal three-family unit. Mr. Seguin obtained a variance in 2005 to construct a third unit on the property, which went through both the Zoning Board and Building Permit process at that time with a review by the Fire Department and the Building Department. Mr. Seguin added that the third unit went online in 2006 and met all City code requirements with upgrades to all services. The property will remain three units once it is sold and an owner's association is in place, and Mr. Seguin will still be involved.

Mr. Amaro joined the meeting at 6:49pm and was appointed in place of Ms. Stavis.

Atty. Burke noted that the review is limited to whether the use is changing. Ms. Monroe stated that the Board members can ask for additional information, particularly the safety requirements, as part of a thorough review.

Chair Garland explained that a subcommittee is looking at certain regulations and will add this to the list of items to be considered. If there is a change in use, an application would be required. If there is no essential change in use, the Board process would not be required, saving the applicant and the City time and money.

**A MOTION by Jim Winny that the Planning Board finds no material change in use.  
Seconded by Joan Monroe**

**Voting in Favor – Mr. Garland, Mr. Winny, Ms. Romano, Ms. Chewing, Mr. Amaro, Mr. Rutter,  
Ms. Monroe**

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

**B. Chiplin Enterprises, Inc., 14 Main Street (Tax Map 72, Lot 88), zoned CBD: Request for Site Plan Review to convert a former 8,000 SF retail store into a Social Service Center.**

**PB2020-24-SPR-PLEASE NOTE THIS APPLICATION HAS BEEN WITHDRAWN BY THE APPLICANT**

**C. City of Lebanon and Ruth Guernsey Trust, 22 Green Street West and ROW of Spring Street West (Tax Map 59, Lot 49 and Tax Map 59, Lot 64), zoned R-3: Request for the Board to revoke a previously-approved Boundary Line Adjustment (PB2019-20-BLA) and to approve the layout of a new segment of public highway for turnaround purposes. PB2020-25-DED**

Ms. Brittner explained that the City does not own the land under Spring Street West after all. The underlying land is owned by the original sub-divider. The property owner confirmed that they would still give the land as a as right-of-way for a turnaround.

Ms. Romano recused herself.

Mr. Corwin noted the motions on Page 2 of the Staff Memo, one of which revokes last year’s Boundary Line Adjustment approval and another to approve the layout of the new right-of-way.

**A MOTION by Joan Monroe to revoke a previously-approved Boundary Line Adjustment (PB2019-20-BLA).**

**Seconded by Jeremy Rutter.**

**Voting in Favor –Ms. Monroe, Mr. Winny, Ms. Chewing, Mr. Garland, Mr. Amaro, Mr. Rutter**

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

**A MOTION by Joan Monroe to continue the hearing of City of Lebanon and Ruth Guernsey Trust, 22 Green Street West and ROW of Spring Street West (Tax Map 59, Lot 49 and Tax Map 59, Lot 64), zoned R-3 to September 28, 2020 at 6:30 PM.**

**Seconded by Jeremy Rutter**

**Roll Call Vote:**

**Voting in Favor – Ms. Chewing, Mr. Garland, Mr. Amaro, Mr. Rutter, Ms. Monroe, Mr. Winny**

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

**Ms. Romano returned to the meeting.**

**4. NEW APPLICATIONS – Completeness Review Only: None**

**5. OTHER BUSINESS:****A. Planning Board Capital Improvement Program (CIP) - Full Board review**

Mr. Brooks gave an introduction of the 2021-2026 CIP process. The policy and procedures were updated last year. There were 31 projects in this year's CIP that met the definition of a CIP Item. The Board reviewed those projects with the department heads to discuss the projects. The CIP list includes items beyond the 6-year planning horizon in order to use CIP as a planning tool and anticipating City needs. The City Manager recommended not taking on more new debt than will be paid off during the 6 year period. All projects were scored to rank the priority and need of each project. Emergency or public safety needs are reflected in those scores.

Chair Garland reported on the CIP meeting stating that it is an interesting exercise and recommended future participation to other Board members. All City departments participate, which provides insight into the management of the City. The larger School projects will be voted on by the residents. There is a wide range of projects, and it is difficult to compare them. The Fire Department requests were an illustration.

The Board members had the opportunity to comment on the projects and ask questions. The City Council will review the CIP recommendations and make the final decision on funding as part of the City's budget.

***A MOTION by Joan Monroe that the Planning Board APPROVES AND ADOPTS the Capital Improvement Program for the six-year period (2021-2026) as presented in the September 14, 2020 agenda packet, and hereby SUBMITS Year 1 (2021) of the CIP as the Board's recommendation to the City Council for capital budget funding for 2021. 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 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.***

***Seconded by Jeremy Rutter.***

Mr. Brooks explained the scoring system to the new Board members, adding that the Board is approving the overall list of projects and what will be recommended for funding in 2021. New issues arise and things change over the coming year, so a new review will take place next year. The City Council approves the funding for 2021 given all of the recommendations and information.

***Roll Call Vote:***

***Voting in Favor –Mr. Garland, Mr. Amaro, Mr. Rutter, Ms. Monroe, Mr. Winny, Ms. Romano, Ms. Chewing***

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

**6. CONCEPTIONAL REVIEW:**

**A. William G. Nisen, 75 Eastman Hill Rd. (Tax Map 125, Lot 21), zoned RL-2: Conceptual review per Section 7.3 of the Subdivision Regulations for a proposed three (3) lot minor subdivision. PB2020-26-CON**

Dan Nash of Advanced Geomatics & Design attended online to speak on behalf of the application.

Mr. Nash explained that the applicant wishes to create three lots. The terrain is very steep, and the major challenge is access. It is planned that Lots 1 & 2 would use the same driveway. The Board members observed that the line of sight for the Lot 3 driveway is very limited being on a curve. Mr. Nash noted that the three lots may all use the same access, adding that it is very early in the planning. The Board members agreed that there should not be a driveway off the curve.

Staff had no comments.

**7. APPROVAL OF MINUTES:**

**A. August 13, 2020 and August 20, 2020 CIP Meetings**

*A MOTION by Joan Monroe to approve the minutes of the August 13, 2020 and August 20, 2020 CIP Meetings as presented.*

*Seconded by Jeremy Rutter.*

*Roll Call Vote:*

*Voting in Favor – Mr. Garland, Mr. Winny, Ms. Romano, Mr. Rutter, Ms. Chewing, Ms. Monroe, Mr. Amaro*

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

**B. August 24, 2020 Planning Session**

Page 1, line 19 to read, "...consultations may be non-meetings..."

*A MOTION by Joan Monroe to approve the minutes of the August 24, 2020 Meeting as amended.*

*Seconded by Kathie Romano.*

*Roll Call Vote:*

*Voting in Favor – Mr. Garland, Mr. Winny, Ms. Romano, Mr. Rutter, Ms. Chewing, Ms. Monroe,, Mr. Amaro*

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

**8. Adjournment:**

*A MOTION by Joan Monroe to adjourn the meeting.*

*Seconded by Kathie Romano.*

*Roll Call Vote:*

*Voting in Favor – Mr. Garland, Mr. Winny, Ms. Romano, Mr. Rutter, Ms. Chewing, Ms. Monroe, Mr. Amaro*

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

The meeting was adjourned at 9:09 PM.

Respectfully submitted,  
Holly Howes  
Recording Secretary