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Lebanon Planning Board Delays Approval of Prospect Street Project

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Lebanon — Developers' plans to construct 117 units in phase two of a subdivision off Prospect Street stalled on Monday, as existing residents complained about the quality of work already done nearby.

Officials representing Brady Sullivan Properties, a Manchester-based developer, hoped their proposal for a second phase of construction on the Prospect Hill subdivision would move quickly through the Planning Board. Plans submitted as recently as 2014 were approved for an additional 43 single-family homes and 74 townhouse units near Lebanon Middle School, they said, and their proposal hadn't changed since then.

But the board decided to continue its hearing on Prospect Hill after residents advised the city to tread lightly with Brady Sullivan.

"I've been here almost four years and not a whole lot has been done that is readily visible to those of us who have been there," said Bruce Williamson, who lives in the development north of Prospect Street.

He said the company performed work that doesn't meet current regulations and left behind messy, rock-strewn yards.

"I am OK with phase two," Williamson said. "However, I am really concerned that we be careful not to let what happened with phase one happen in phase two. It's a much bigger project."⁶

Brady Sullivan purchased the entire Prospect Hill project in 2009, as the initial developer, M&M Equities, faced financial difficulties. Although the project had been approved four years earlier, only a handful of homes were complete on the first phase north of Prospect Street.

When Brady Sullivan took over, it did so without making changes to those initial plans except announcing that the project would be more profitable because it was focused on building homes in the \$180,000 to \$255,000 range, rather than the high-end homes initially planned.

Brady Sullivan amended its plans in 2014, when the developers asked to make changes to the placement of emergency access gates. Working to finish the first phase, officials told the board on Monday they forgot to file an extension, which is why the project's second phase is again under review.

Brady Sullivan consultant John Rokeh told the board they were presenting the same plan approved in the past, but the company hopes that the board will reduce the bond for phase one from \$250,000 to \$50,000, since that part is almost complete. He said city officials accompanied developers on a walk through of the site in August and checked several to-do items from a list that's needed before homes can get a certificate of occupancy.

All that's left is the planting of trees and some final landscaping, the developers said.

"Since we're coming back to you anyway, we wanted to ask for a reduction," Rokeh said.

While some of the city's concerns at the site have been met, there's still issues with deteriorating sidewalks, drainage issues and a problem with the sewer line's proximity to the water lines, said City Planning Director David Brooks.

"I guess I'm a little bit leery of releasing the security without some way of making sure those fixes get fixed," he said.

Neighbors agreed, and said the developers work on the first phase is indicative of how Brady Sullivan operates.

"When I heard that Brady Sullivan was taking over the project, I got quite excited after looking at their website," said Warren Klecan, a Prospect Street resident. "Soon that excitement went south and I've got new neighbors that I've talked to that live in the project and have many concerns."

"I'd say hold as much (money) as you can," he said. "Hold all of it until everything is done."

Residents of the project still awaiting certificates of occupancy also wrote into the board. Melanie Wanders wrote that the company turns a blind eye to mistakes and "flexed their corporate muscle" when complaints are brought up.

Pete Fletcher, who was on the development's homeowners association board for three years, said the company forced him out after he brought up "glaring mistakes."

"The rental units that Brady Sullivan built and maintain are in poor shape," he wrote in a letter to the board. "I've spoken with several people who say the building work is of a poor standard (hand rails have been falling off walls) to electric issues that border on being very dangerous ..."

Fletcher also said the community continues to see sink holes around houses and on sidewalks.

Brady Sullivan officials at the meeting said they were unaware of the issues brought up in homes during the meeting, and are willing to work with the city to address concerns on infrastructure. While the company contracted to build the homes, it isn't responsible for management of the site, which falls to another company hired by the homeowners association.

The association also became a point of contention during the meeting. Brady Sullivan officials said the second phase of the project is needed because of high rates residents pay to maintain a pump station, and more residents would spread that burden more evenly.

Some of the residents accused Brady Sullivan of shielding itself from paying for the pump. It controls about 143 votes in the association, compared to the 28 votes of single-family homeowners, and three of the five association board members are appointed by the company.

"The residents are sort of crippled in terms of leverage," said Williamson, who told the Planning Board that he was also forced from the association board by Brady Sullivan.

As owner of the townhouses, Brady Sullivan does pay for its share of the pump station, and developers argued that the company has a compelling interest to finish up both phases. They asked the city to determine the amount necessary to finish work on phase one and bond that, rather than keeping the \$250,000 level in place.

"Respectfully, I am unconvinced," replied board member Lewis Greenstein. "It is my contention that the city should hold the entire \$250,000, especially given the oversight by the applicant in not getting the materials prepared in time to avoid the problem that you now have."

"Put the trees in and then there won't be a need to price them," he added.

The Planning Board ultimately decided to continue the hearing to Tuesday, Oct. 11, without making a decision on either the bond or second phase.

They also asked city officials to put together a list of items that need to be completed on phase one.

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