



**LEBANON PLANNING BOARD
FEBRUARY 28, 2022 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

1. Call to Order

2. Public Hearing Items

- A. **Unifirst Corporation, 125 Etna Road (Tax Map 26, Lot 6), zoned IND-L:** Site Plan approval for the existing industrial laundry facility was granted on March 3, 1987. Applicant requests removal of the Planning Board's condition of approval requiring bi-annual groundwater monitoring. PB2022-08-SPA -postponed from February 14, 2022
- B. **Edwards Properties, LLC, 9 Pershing Street (Tax Map 78, Lot 48), zoned IND-L:** Request for a Conditional Use Permit to convert a previously approved contractor's yard to a car wash. PB2022-02-CUP - postponed from February 14, 2022
- C. **Edwards Properties, LLC, 9 Pershing Street (Tax Map 78, Lot 48), zoned IND-L:** Request for Site Plan Review to construct a parking lot for a proposed car wash use. PB2022-10-SPR - postponed from February 14, 2022

3. Committee Reports

- A. Planning Board Subcommittees
 - Planning Board Capital Improvement Program (B. Garland/L. Stavis/M. Hall/K. Chewing)
 - Planning Board Development Regulations Update (M. Hall/K. Romano/J. Rutter/ VACANT)
- B. City Council Subcommittees
 - Class VI Roads Advisory Committee (VACANT)
 - Lebanon Energy Advisory Committee (VACANT)
- C. **Other Subcommittees:**
 - City Council Representative (D. Whittlesey/K. Zook)
 - Heritage Commission (J. Rutter)
 - Pedestrian & Bicyclist Advisory Committee (G. Amaro)
 - Upper Valley Lake Sunapee Regional Planning Commission (B. Garland)
 - UV SubCommittee of the Connecticut River Joint Commissions (B. Garland)
 - Upper Valley Transportation Management Association (VACANT)

- Mascoma River Local Advisory Committee (K. Romano)
- Steering Committee for the Implementation of the Master Plan (B. Garland/K. Chewning /VACANT/VACANT)
- West Lebanon Revitalization Advisory Committee (L. Stavis)
- Planning & Development Department – Task Status (D. Brooks/ M. Goodwin/T. Corwin/R. Owens)

4. Other Business

- A. 2023-2038 CIP - review 2022 CIP and capital budget
- B. Memo to Planning Board Re: Satisfaction of Condition #3 of PB2012-30-SPA
- C. Discussion re: NHMA Legislative Policy Proposals
- D. Recap Master Plan Update Process

5. Approval of Minutes

- A. None

6. Adjournment

The order of agenda items is subject to change.

Meetings are open for in-person and remote attendance. Members of the public that 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 disrupts virtual or phone connection(s), the meeting will continue without remote access capabilities.

**Agenda
Planning Board
February 28, 2022**

**Agenda Item #2C
Public Hearing Items**

**Edwards Properties, LLC,
9 Pershing Street
(Tax Map 78, Lot 48),
zoned IND-L
PB2022-10-SPR**



16 February 2022

Tim Corwin, Planning Office
City of Lebanon
51 North Park Street
Lebanon, NH 03766

Re: Site Plan Amendment Lot 78-48
Pershing Street

Dear Mr. Corwin:

This letter is to provide a response to your staff memo on this project included with the 14Feb22 Planning Board agenda. As explained below, the project is complete.

-Section 5.1.E.5 & 5.1.E.22. There is no city drainage easement on the project parcel. It is our understanding that the note on the survey plan has to do with a deed that references this easement, but that deed included six parcels and the reference to the easement is not specifically referenced to any one parcel. Additionally, the easement begins at the Elks property which is across Heater Road. A copy of the deed is attached. Although a reading of the deed indicates the easement does not directly affect this parcel the only plan showing the actual location of the easement is in the City's records. That plan is not otherwise available to the public. If that plan can be located and if it shows an easement on the subject property, then the applicant's plan will be updated. Any other questions about the easement can be addressed at the 28Feb22 meeting.

-Section 5.1.E.8. The plan indicates all natural and manmade features that are to be removed, retained, or altered. No landscaping currently exists on the site, and there is no requirement to show existing landscaping on the existing developed parcel. The pavement to be removed is clearly identified by Note 8, on Sheet C-1. There are two areas indicating pavement removal.

-Section 6.5.1. We have revised our waiver request to include this item. Since only vehicles will be coming to the car wash, there is no need for bicycle parking on this project.

-Section 6.7.C.1. The lighting plan was submitted as required. The note by staff addresses matters to be discussed by the Board at its meeting but do not concern completeness. The lighting designer used the entire lot in the calculation which produced areas with zero lighting intensity (landscape areas). The analysis program does not allow zero intensities for the uniformity calculation as it makes a divide by zero error. The designer is updating ~~correcting~~ this plan.

Pershing Street
City of Lebanon
16Feb2022

-Section 6.6. The stormwater management information is a matter to be discussed at the Board and staff comments do not concern completeness. Both items 1 & 2 will be addressed by the applicant and any information required by public works can be addressed as a condition of approval.

We request the plan be determined to be complete and be able to discuss these items during the hearing process.

Please let us know if you need any additional materials to support this submittal.

Sincerely,

Daniel A. Nash, PE
Principal

Attached:
-Deed 1916-0429; Drain Easement
-Updated Waivers

CC: Edwards Properties

M:\2021_projects\21-017\plannig_board\submittal_16feb22\col_pershing_16Feb2022.docx

EASEMENT DEED

Know all men by these presents, that Decalley Enterprises, a New Hampshire General Partnership, having a principal place of business at Heater Road in Lebanon, Grafton County, State of New Hampshire, for consideration paid grants to City of Lebanon, a municipal corporation, duly organized and existing under the laws of the State of New Hampshire and having a mail address of 51 N. Park St., Lebanon, N.H. 03766, with Quitclaim Covenants, a certain easement over property now owned by Decalley Enterprises, located on the southerly side of Heater Road in said Lebanon, N.H., which property is more particularly described as Lot 23-3 on a certain plan entitled "Boundary Line Adjustment Plan Prepared for Decalley Enterprises", done by T & M Associates, Inc. as project no. 181985B on October 3, 1990, a copy of which is on record with the City of Lebanon. Reference is also made to a plan entitled "Revised Site Plan Prepared for Decalley Enterprises", done by T & M Associates, Inc. as project no. 163784A on March 8, 1991, also on record with the City of Lebanon.

By these presents, the City of Lebanon, its successors and assigns shall have the right, in perpetuity, to maintain an existing drain pipe which is shown on the plan entitled "Revised Site Plan Prepared for Decalley Enterprises" (as described above). The drain pipe is shown on said plan as extending from a catch basin at or near property owned by B.P.O.E. Elks, as shown on said plan (on the northerly side of Heater Road), and extending in a southerly direction, generally, across property of Decalley Enterprises to the southerly side of its property.

This easement shall be binding upon the grantor, its successors and assigns. In the event the grantee, its successors and assigns shall utilize this easement, they will leave the property in "as good" condition when they are finished utilizing the easement.

Dated at Lebanon, N.H. this 8th day of May, 1991.

Decalley Enterprises

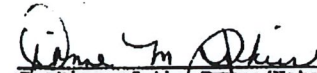
by: *Robert Decal*
General Partner, duly auth.

008413

BK1916 Pg0429

The State of New Hampshire
Grafton, ss.

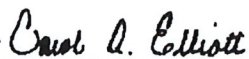
Then came R. Peter Decato, who took oath that the foregoing statements made by him are true to the best of his knowledge and belief and that he had the requisite authority of the partnership to sign this deed. Before me, this May 8, 1991.


Justice of the Peace / Notary Public
DIANNE M. PERKINS, Notary Public
My Commission Expires October 3, 1994



RECEIVED
91 JUN 26 AM 8:35
GRAFTON COUNTY
REGISTRY OF DEEDS

BK1916 Pg0430

EXAMINED, ATTEST 
GRAFTON COUNTY REGISTRY OF DEEDS



City of Lebanon, New Hampshire APPLICATION FOR WAIVERS

Office Use Only

Date Received: _____

File No.: _____

PROJECT INFORMATION

Name of Applicant: Edwards Properties, LLC, PO Box 600, Lebanon, NH 03766
Project Name: Pershing Street Car Wash
Project Address: 9 Pershing Street

WAIVER REGULATIONS

In order to grant a Waiver from a requirement of the City of Lebanon Site Plan Review or Subdivision Regulations, the Planning Board must find that the Waiver is justified under one of the following criteria (See Article VII of the Site Plan Review Regulations and Section 7.15 of the Subdivision Regulations):

Criteria A. Strict conformity would pose an unnecessary hardship to the Applicant and waiver would not be contrary to the spirit and intent of the regulations;

OR

Criteria B. Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.

WAIVER REQUEST(S)

I (we) hereby request a Waiver from:

[You can respond in the space provided, or attach a separate statement. Please be prepared to address each request during your public hearing. You must show that you have justified granting the Waiver(s).]

1. Section 6.2.E.1 (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

A partial waiver is requested. the Eastern portion of the site was previously approved through site plan. the submitted plans comply with landscape requirements

2. Section 6.6.E (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

A partial waiver is requested. the Eastern portion of the site was previously approved through site plan. The existing stormwater system appears to be functioning properly. the new information submitted applies to the newly paved area.

3. Section **6.5.B.4** (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / ~~Criteria B~~ because _____

There is no need for a sidewalk in this area. There is no neighborhood to generate pedestrians. There are no connecting sidewalks anywhere near. The ROW has inadequate width to support a sidewalk without a closed drain system. A closed drain system would have to extend to the end of Little Heater Road, well beyond the scope of this project. The closed drain system would also necessitate curbing.

4. Section **6.5.I** the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / ~~Criteria B~~ because _____

There is no need for bicycle parking on this site. The site is a car wash and users drive cars to the site to be washed.

5. Section ____ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

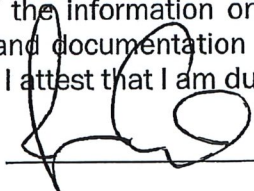
6. Section ____ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

7. Section ____ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

8. Section ____ of the (circle one) Site Plan Review / Subdivision Regulations. A Waiver of this Section meets (circle one) Criteria A / Criteria B because _____

SIGNATURE

I (we) hereby submit this application to the Planning Board and attest that to the best of my (our) knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As the applicant or as the agent of the applicant, I attest that I am duly authorized to act in this capacity.

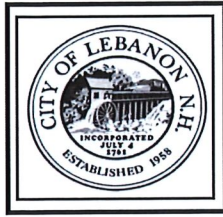
Signature of Applicant:  _____ Date: 1/10/22

rev. 1/24/22
rev. 2/16/22

**Agenda
Planning Board
February 28, 2022**

**Agenda Item #4A
Other Business**

2023-2038 CIP - review 2022 CIP and capital budget



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Lebanon Planning Board

FROM: David Brooks, Planning & Development Director

RE: Capital Improvements Program (CIP) - Review of 2022 Capital Budget and adopted CIP

DATE: February 9, 2022

Planning Board members,

As described in the Capital Improvement Program (CIP) Policy and Procedures document adopted in January 2019, the annual CIP procedure begins with a review of the prior year's City Council-adopted capital budget. The review of previously adopted capital budgets versus the Board's adopted CIP for the same time periods enables the Board to see which recommended CIP Projects are being funded through the budget process and which projects, if any, are being delayed to subsequent years. This review also assists the Board in initiating the Project List for the upcoming 2023-2028 CIP.

Attached to this memo is a spreadsheet showing the Planning Board's adopted CIP project list for 2022-2027 sorted by Fund. Project names listed in ***bold italicized*** font on the spreadsheet indicate that the project was reviewed as a Capital Improvement Program Item by the Planning Board's CIP Subcommittee. Other capital projects did not meet the definition of a CIP Item in accordance with the Board's Policy and Procedures document.

In the two highlighted columns, dollar amounts in **bold** text represent the capital funding amount approved by the City Council in December 2021. As you can see, there are some differences in the amount actually funded for some projects as compared to the estimated project cost reflected in the Planning Board's adopted CIP. In some cases, CIP projects recommended for funding in 2022 were "zeroed-out", while in other cases additional capital funds were approved to enable projects to move forward. Overall, the City Council's adopted capital budget for 2022 reflects an increase of just over \$1.3 million dollars compared with the list of CIP projects recommended for funding in the CIP.

Staff will be prepared to review and discuss this information in depth at the Board's upcoming work session.

CIP Year	Department	Project Name (Bold Italics = CIP Item)	Total Appropriated	Prior to CIP Period	2017-2022; 2019-2023; 2020-2024; 2021-2026; 2022-2027	Estimated project cost from adopted CIP 2022	Actual 2022 Capital Funding amount, if different	Estimated project cost from adopted CIP 2023	Actual 2023 Capital Funding amount, if different	Estimated project cost from adopted CIP 2024	Actual 2024 Capital Funding amount, if different	Estimated project cost from adopted CIP 2025	Actual 2025 Capital Funding amount, if different	Estimated project cost from adopted CIP 2026	Actual 2026 Capital Funding amount, if different	Estimated project cost from adopted CIP 2027	Actual 2027 Capital Funding amount, if different
2022	AIRPORT FUND	AIRPORT Runway Safety Area Improvements_ 16-38	\$14,830,000	\$280,000	\$14,350,000	\$1,778,000		\$5,125,000		\$4,150,000		\$1,425,000		\$1,875,000		\$0	
2022	AIRPORT	AIRPORT West Apron Rehabilitation	\$1,700,000	\$0	\$1,700,000	\$0		\$0		\$0		\$0		\$0		\$1,700,000	
2022	GENERAL FUND	FIRE Station 2 Replacement	\$0	\$0	\$0	\$0		\$0		\$0		\$0		\$0		\$0	
2022	GENERAL FUND	FIRE Station 1 Replacement	\$15,572,280	\$0	\$15,572,280	\$0		\$0		\$15,572,280		\$0		\$0		\$0	
2022	POLICE	Police Facility Renovation and Expansion	\$0	\$0	\$0	\$0		\$0		\$0		\$0		\$0		\$0	
2022	PUBLIC WORKS	City Hall Renovation	\$6,848,601	\$6,848,601	\$0	\$0		\$0		\$0		\$0		\$0		\$0	
2022	PUBLIC WORKS	Property Acquisition - Mascota Street	\$235,000	\$0	\$235,000	\$235,000		\$0		\$0		\$0		\$0		\$0	
2022	REC & PARKS	Community Center	\$70,000	\$70,000	\$0	\$0		\$0		\$0		\$0		\$0		\$0	
2022	FIRE	Fire Ambulance Replacements	\$790,000	\$0	\$790,000	\$0		\$0		\$0		\$0		\$0		\$0	
2022	FIRE	Staff Vehicle Replacement	\$180,000	\$0	\$180,000	\$0		\$0		\$0		\$0		\$0		\$0	
2022	FIRE	Self-Contained Breathing Apparatus (SCBA) Replacements	\$180,000	\$0	\$180,000	\$0		\$0		\$0		\$0		\$0		\$0	
2022	FIRE	Ladder #1 Replacement	\$180,000	\$0	\$180,000	\$0		\$0		\$0		\$0		\$0		\$0	
2022	FIRE	Engine #1 Replacement	\$1,500,000	\$0	\$1,500,000	\$0		\$0		\$0		\$0		\$0		\$0	
2022	FIRE	Engine #2 Replacement	\$800,000	\$0	\$800,000	\$0		\$0		\$0		\$0		\$0		\$0	
2022	FIRE	Engine #3 Replacement	\$0	\$0	\$0	\$0		\$0		\$0		\$0		\$0		\$0	
2022	PUBLIC WORKS	Fleet and Equipment Replacement	\$2,778,733	\$0	\$2,778,733	\$294,709		\$450,500		\$472,714		\$382,560		\$405,978		\$870,281	
2022	PUBLIC WORKS	Renovate Street Reconstruction	\$355,000	\$355,000	\$0	\$0		\$0		\$0		\$0		\$0		\$0	
2022	PUBLIC WORKS	Truss Brook Road Bridge Replacement #069-059	\$4,448,329	\$348,329	\$4,100,000	\$2,300,000		\$0		\$0		\$0		\$0		\$0	
2022	PUBLIC WORKS	South Main Street Bridge Replacement #062-117	\$13,530,836	\$5,888,305	\$7,641,531	\$0		\$7,641,531		\$0		\$0		\$0		\$0	
2022	PUBLIC WORKS	Kimball Street Infrastructure Improvements - Road, SW, Curb-Drain	\$1,232,910	\$41,160	\$1,191,750	\$1,450,000		\$0		\$0		\$0		\$0		\$0	
2022	PUBLIC WORKS	Mack Avenue Infrastructure Improvements - Road, SW, Curb-Drain	\$840,000	\$0	\$840,000	\$80,000		\$760,000		\$0		\$0		\$0		\$0	
2022	PUBLIC WORKS	Turnover Street/Goule 120 Bridge #121-117	\$2,110,000	\$325,000	\$1,785,000	\$0		\$0		\$0		\$1,785,000		\$0		\$0	
2022	PUBLIC WORKS	Turnover Street/Goule 120 Bridge #121-117	\$2,110,000	\$325,000	\$1,785,000	\$0		\$0		\$0		\$1,785,000		\$0		\$0	
2022	PUBLIC WORKS	Mechanic St/Station Hill Rd Intersection	\$891,000	\$0	\$891,000	\$90,000		\$940,000		\$0		\$500,000		\$0		\$391,000	
2022	PUBLIC WORKS	Roadway Improvements-Miracle Mile SRF	\$900,000	\$0	\$900,000	\$900,000		\$0		\$0		\$0		\$0		\$0	
2022	PUBLIC WORKS	Mechanic St Bridge over Mascota River #100-110	\$70,000	\$0	\$70,000	\$0		\$70,000		\$0		\$0		\$0		\$0	
2022	PUBLIC WORKS	Mount Support Road/Lahya Drive Intersection	\$2,500,000	\$250,000	\$2,250,000	\$0		\$2,250,000		\$0		\$2,200,000		\$0		\$0	
2022	PLANNING & DEVT	West Lebanon Capital Improvements	\$2,865,000	\$485,000	\$2,400,000	\$200,000		\$0		\$0		\$0		\$0		\$0	
2022	PLANNING & DEVT	Climate Action Plan	\$0	\$0	\$0	\$0		\$0		\$0		\$0		\$0		\$0	
2022	PLANNING & DEVT	Lebanon Complete Streets/Multi-Modal Plan - Phase 1	\$45,000	\$25,000	\$20,000	\$20,000		\$0		\$0		\$0		\$0		\$0	
2022	PLANNING & DEVT	Miracle Mile Pedestrian & Transit Improvements	\$400,000	\$400,000	\$0	\$0		\$0		\$0		\$0		\$0		\$200,000	
2022	PUBLIC WORKS	Phase 1 Solar Project Buyout	\$275,722	\$0	\$275,722	\$0		\$0		\$0		\$275,472		\$0		\$0	
2022	REC & PARKS	Recreation Playing Fields	\$676,000	\$120,000	\$556,000	\$0		\$556,000		\$0		\$0		\$0		\$0	
2022	DPW-WATER DEPT	Fleet and Equipment Replacement	\$237,765	\$0	\$237,765	\$42,440		\$48,173		\$0		\$0		\$47,762		\$98,390	
2022	DPW-WATER DEPT	Kimball Street Infrastructure Improvements - Water SRF	\$1,052,370	\$30,870	\$1,021,500	\$802,600		\$0		\$0		\$0		\$0		\$0	
2022	DPW-WATER DEPT	Mack Avenue Infrastructure Improvements - Water SRF	\$830,000	\$0	\$830,000	\$80,000		\$570,000		\$0		\$0		\$0		\$0	
2022	DPW-WATER DEPT	Forest Avenue Reconstruction (SRF)	\$750,000	\$0	\$750,000	\$40,000		\$705,000		\$0		\$0		\$0		\$0	
2022	DPW-WATER DEPT	New Water Supply Source Study	\$245,000	\$145,000	\$100,000	\$0		\$100,000		\$0		\$0		\$0		\$0	
2022	DPW-WATER DEPT	Water System Improvements (non-SRF)	\$250,000	\$0	\$250,000	\$0		\$250,000		\$0		\$0		\$0		\$0	
2022	DPW-WATER DEPT	Water System Improvements-Mechanic St SRF	\$1,800,000	\$0	\$1,800,000	\$300,000		\$0		\$0		\$0		\$0		\$0	
2022	DPW-WATER DEPT	Water System Improvements-Mechanic St SRF	\$368,605	\$0	\$368,605	\$1,800,000		\$0		\$0		\$368,605		\$0		\$0	
2022	SEWER FUND	Phase 1 Solar Project Buyout	\$782,826	\$0	\$782,826	\$137,310		\$191,227		\$0		\$46,371		\$417,918		\$0	
2022	DPW-SEWER DEPT	Fleet and Equipment Replacement	\$3,580,000	\$2,680,000	\$900,000	\$0		\$50,000		\$250,000		\$250,000		\$250,000		\$0	
2022	DPW-SEWER DEPT	Lebanon Sewer System Rehabilitation	\$550,000	\$0	\$550,000	\$0		\$0		\$500,000		\$0		\$0		\$0	
2022	DPW-SEWER DEPT	Seapage Receiving Facility - WWTP Upgrade	\$1,222,820	\$30,870	\$1,191,750	\$482,600		\$1,191,750		\$0		\$0		\$0		\$0	
2022	DPW-SEWER DEPT	Kimball Street Infrastructure Improvements - Sewer	\$830,000	\$0	\$830,000	\$80,000		\$570,000		\$0		\$0		\$0		\$0	
2022	DPW-SEWER DEPT	Mack Avenue Infrastructure Improvements - Sewer	\$750,000	\$0	\$750,000	\$40,000		\$705,000		\$0		\$0		\$0		\$0	
2022	DPW-SEWER DEPT	Forest Avenue Reconstruction (SRF)	\$100,000	\$0	\$100,000	\$0		\$0		\$0		\$0		\$0		\$0	
2022	DPW-SEWER DEPT	Renovate Street Reconstruction	\$359,331	\$100,000	\$259,331	\$0		\$0		\$0		\$359,331		\$0		\$0	
2022	DPW-SEWER DEPT	Mill Rd Slope Stabilization	\$0	\$0	\$0	\$0		\$0		\$0		\$0		\$0		\$0	
2022	DPW-SEWER DEPT	Phase 1 Solar Project Buyout	\$0	\$0	\$0	\$0		\$0		\$0		\$0		\$0		\$0	
2022	SOLID WASTE FUND	Fleet and Equipment Replacement	\$100,000	\$0	\$100,000	\$100,000		\$0		\$0		\$0		\$0		\$0	
2022	DPW-SOLID WASTE	Landfill Tarp Machine Replacement	\$1,000,000	\$100,000	\$900,000	\$0		\$0		\$400,000		\$0		\$500,000		\$0	
2022	DPW-SOLID WASTE	Landfill Phase 3-4 Design and Permitting	\$724,100	\$0	\$724,100	\$0		\$0		\$0		\$0		\$0		\$0	
2022	DPW-SOLID WASTE	Landfill Phase 3 Construction	\$5,102,000	\$3,800,000	\$1,302,000	\$137,800		\$144,700		\$151,000		\$0		\$0		\$0	
2022	DPW-SOLID WASTE	Landfill Gas Collection & Control System	\$235,105	\$0	\$235,105	\$0		\$0		\$0		\$235,105		\$0		\$0	
2022	DPW-SOLID WASTE	Landfill Gas Utilization Project	\$0	\$0	\$0	\$0		\$0		\$0		\$0		\$0		\$0	
2022	DPW-SOLID WASTE	Phase 1 Solar Project Buyout	\$0	\$0	\$0	N/A		\$0		\$0		\$0		\$0		\$0	
2022	PUBLIC WORKS	Rail Trail Paving Project (Funds from MRG Project)	\$98,176,243	\$22,485,135	\$75,691,108	\$14,391,316		\$15,985,250		\$0		\$0		\$0		\$0	



LEBANON PLANNING BOARD

CAPITAL IMPROVEMENT PROGRAM POLICY AND PROCEDURES

CITY OF LEBANON, NEW HAMPSHIRE

ADOPTED: September 22, 2003
LAST REVISED: January 28, 2019

**CITY OF LEBANON
CAPITAL IMPROVEMENT PROGRAM
POLICY AND PROCEDURES**

TABLE OF CONTENTS

ARTICLE	TITLE	PAGE
ARTICLE I	ENACTMENT AND GENERAL PROVISIONS	1
	Authority	1
	General Purpose	1
	Definitions	2
	Compliance	3
ARTICLE II	CIP PROCEDURE	3
	Purpose	3
	Policy	3
	Procedure	3

ARTICLE I – ENACTMENT AND GENERAL PROVISIONS

Authority

Under the general authority granted in the New Hampshire Revised Statutes Annotated Title LXIV, the Lebanon Planning Board adopts this Policy and Procedures Document, pursuant to RSA 674:5, after having adopted a Master Plan and having been authorized to annually prepare and amend a recommended program of municipal capital improvement projects by the Lebanon City Council on January 08, 1986. Pursuant to RSA 674:7, the Planning Board will confer, in a manner deemed appropriate by the Board, with the City Manager, Finance Director, municipal departments, and the Lebanon School District, and shall review the recommendations of the Master Plan in relation to the proposed Capital Improvements Program.

Such that the Planning Board is so authorized to execute the Capital Improvement Program, every municipal department and the Lebanon School District shall, upon request of the Planning Board, transmit to the Board a statement of all capital projects it proposes to undertake during the term of the Program (6 years). The Planning Board shall study each proposed capital project that qualifies as a Capital Improvement Program Item, as defined herein, and shall advise and make recommendations to the municipal department or School District concerning the relation of its project to the Capital Improvements Program being prepared.

Pursuant to RSA 674:8, the Planning Board will submit its Capital Improvements Program recommendations for the ensuing fiscal year through the City Manager to the City Council and the Capital Budget Committee, if one exists, for consideration as part of the annual budget.

General Purpose

This Policy and Procedures Document authorizes the Planning Board to prepare and submit a Capital Improvement Program that supports and furthers the goals established in the City's Master Plan. This Policy and Procedures Document shall be administered to ensure orderly growth and development and supplement and facilitate the provisions in the City of Lebanon's Master Plan, Zoning Ordinance, and capital budget. This Policy and Procedures Document ensures that there is harmonious development of a City capital budget. The Capital Improvement Program does not create the capital budget, but is a recommendation to the City Council in preparation of the capital budget. This Policy and Procedures Document guides the Planning Board in creating and delivering the Capital Improvement Program to the City Council.

Definitions

For the purposes of this Policy & Procedures Document, in addition to the terms included in this Article, the meaning of terms used herein shall be as defined in the Lebanon City Code and RSA.

Board – The word ‘Board’ shall mean the Lebanon Planning Board.

Capital Improvement Program (CIP) – The words ‘Capital Improvement Program’ shall mean the document written and authorized by the Board and contains Capital Improvement Program Items. The Planning Board recommends common usage of this definition.

Capital Improvement Program Items – CIP Items will be those items that pertain to planning and land use within the City only. CIP Items are to include:

- a) Any Physical Public Betterment and studies relative thereto;
- b) Acquisition of land;
- c) Construction of new buildings and facilities with an estimated value in excess of \$50,000;
- d) Facilities engineering design and other preconstruction costs in excess of \$50,000, unless such costs are part of a project that does not result in more capacity for growth;
- e) Major planning-related studies and analysis requiring utilization of independent professional consultants in excess of \$25,000;
- f) Reconstruction of existing facilities resulting in more capacity for City growth.

Capital items that are operational in scope, vehicles for example, are not considered to be CIP Items.

Physical Public Betterment – The words ‘Physical Public Betterment’ shall mean any new use of land or infrastructure that is for the benefit of the community. **Excluded from this definition are operational maintenance and improvements accruing a benefit to the community, which do not increase capacity for growth, for example resurfacing a road, fixing a sidewalk, and other in-kind repairs.**

CIP Project List – The term ‘CIP Project List’ shall be the Planning Board's list communicating to the City those Board Items deemed as important for capital budget funding for the ensuing fiscal year. Projects previously approved and funded for completion are not included in the current six-year plan.

Capital Budget Form – The term ‘Capital Budget Form’, created by the Finance Director, is the official request by the Board, submitted through city staff, for a CIP Item to be included in the CIP document.

Planning Board Capital Improvement Program (CIP) Committee – The term ‘Planning Board Capital Improvement Program Committee’ is the body appointed by the Board to develop the CIP. The Board may elect to have a committee with non-board members so long as the Board represents more than 50% of the committee membership.

Compliance

No Capital Improvement Program shall be approved by the Planning Board unless such plan complies with all the provisions of this Policy and Procedures Document and state and federal laws.

No Capital Improvement Program Item will be approved unless it is submitted in accordance with this Policy and Procedures Document.

No authority other than the Planning Board will be permitted to change the CIP document.

This Policy and Procedures Document supersedes all other City Staff policies relative to the CIP.

ARTICLE II – CIP POLICY AND PROCEDURES

Purpose

This procedure allows timely submission and review of the Planning Board's Capital Improvement Program (CIP) by the City Council, City Manager, Finance Director, municipal departments, and the Lebanon School District. This procedure defines a process by which information is given to the Planning Board by municipal departments and the Lebanon School District and sets forth the schedule for the Board's development of the CIP recommendation by late August. By producing the CIP by late August, the City Council or capital budget committee shall use the document for capital budget recommendations per City Policy 98-01-A.

Policy

The Planning Board shall create a preliminary CIP Project List at least by the end of **March** with the intent it be considered by all departments when they receive the Capital Budget Form. All departments shall receive the Planning Board CIP Project List when the Planning Director distributes Capital Budget Form in early April, approximately 210 days prior to budget submission date of October 31st. All department CIP Project Lists shall be submitted to the Planning Director in early May, approximately 180 days prior to the budget submission date. The Finance Director shall evaluate and analyze the fiscal capacity and financial programming of the Planning Board CIP requests.

Procedure

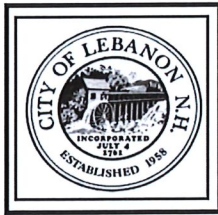
1. The **February Planning Board Work Session** shall initiate the CIP Project List for the subsequent year. The Board shall evaluate up to the prior three (3) years' City Council-adopted Capital Budgets versus the Board's CIP Project List and identify changes and make recommendations relevant to the CIP.
2. The Planning Board, with input from the Board or Committee leading the implementation of each Master Plan chapter, shall complete the preliminary CIP Project List and submit it to the Planning Director by the March Planning Board Work Session.

3. **In early April:** The Planning Director shall distribute the CIP Project List and Capital Budget Form, guidelines, and instructions to all municipal departments, and the Lebanon School District, approximately 210 days prior to the budget submission.
4. **In early May:** Each Director of a municipal department and the Superintendent of the Lebanon School District shall inventory existing facilities; identify new projects and determine the status of previously approved projects; and prepare and submit to the Planning Director Capital Budget forms, with such supporting documentation, data, required analysis, and timelines as required by the City Manager and Planning Board, approximately 180 days prior to the budget submission date.
5. **By late June:** The Planning Director, City Manager, and Finance Director shall analyze fiscal capacity and financial programming of the CIP Project List and shall submit analysis to the CIP Committee for review.
6. **By late July:** The CIP Committee shall review, evaluate, rank, and revise the Capital Improvement Program Project List. The preliminary Planning Board CIP Project List created for that year (per step 2 above) shall be available as a guide to the CIP Committee. The CIP Committee shall request that each municipal department and the Lebanon School District appear before the CIP Committee to discuss project proposals. Each CIP Committee member shall be given a copy of the draft CIP Project List as generated by the Planning Director and Finance Director. The CIP Committee shall propose modifications and changes to the draft CIP Project List and submit it to the full Planning Board. The draft CIP will contain the six-year Capital Improvement Program that consists of a first-year capital budget recommendation for CIP Items and a subsequent five-year plan that is known, in total, as the CIP.
7. **By late August:** The Planning Board shall review and revise, as needed, the CIP Project List. The Planning Board shall adopt the CIP Project List and submit their CIP recommendations to the City Council through the City Manager.
8. Upon adoption, the Planning Director shall cause a certified copy of the CIP to be filed with the New Hampshire Office of Strategic Initiatives (NHOSI) in accordance with RSA 675:9.

**Agenda
Planning Board
February 28, 2022**

**Agenda Item #4B
Other Business**

**Memo to Planning Board Re:
Satisfaction of Condition
#3 of PB2012-30-SPA**



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Lebanon Planning Board

FROM: David Brooks, Planning & Development Director

RE: Prospect Hills Development

DATE: February 16, 2022

Planning Board members,

On January 14, 2013, the Planning Board approved an application from Brady Sullivan Prospect Hills, LLC, for an amendment to a Conditional Use Permit to remove a 5-foot-wide walking path within the designated open space as previously approved and recorded for Prospect Hills, a 170-unit Planned Unit Residential Development (PURD), located at Moulton Avenue and Prospect Street Extension, Tax Map 108, Lots 2 and 14, Lebanon, NH, in the R-3 zone, #PB2012-30-SPA.

As documented in its decision on the request, the Planning Board found that the alignment of the "5-foot-wide stone dust walking path" and "designated rest areas including bench or picnic tables & trash receptacles" as depicted on the approved Open Space Plan for the Prospect Hills Development recorded in the Grafton County Registry on December 30, 2005, as amended and re-recorded on December 15, 2011, had the potential to negatively impact privacy, safety, and security within the neighborhood due to the physical build-out of the Prospect Hills development. The Board also noted that relocation of the walking path and designated rest areas was impractical due to the existing terrain, ledge, and vegetation along the perimeter of the development.

As a result, the Board amended the original Notice of Action for the development, dated April 12, 2005, to modify Condition #6.1 to eliminate the requirement to construct the walking path and designated rest areas within the portion of the development north of Prospect Street.

In lieu of constructing the walking path, Condition #3 of the Board's decision required the developer to "place into escrow, or into a capital reserve fund for the Prospect Hills development, an amount equal to the cost of constructing the '5-foot-wide stone dust walking path' and 'designated rest areas including bench or picnic tables & trash receptacles'. Such funds shall be used for alternative improvements to the common elements and common areas of the development in accordance with the requirements of Section 501.2(K) of the Zoning Ordinance, as determined by the unit owners in accordance with the Association documents. The funds to be put into escrow by Brady Sullivan Prospect Hills, LLC, shall be held in escrow for a period not to extend beyond January 14, 2015." The amount to be placed in escrow was established to be \$25,000 as set forth in a letter from Brady Sullivan to Matt McKenney (see attached), which was referenced in the condition.

In spite of the time limit incorporated into the condition of approval, the Planning Department was informed on February 1, 2022 by Jerry Diamond, the current president of the Prospect Hills Homeowners' Association, that the association and Brady Sullivan had only recently agreed to have the escrowed funds (including interest) moved into the association's capital reserve fund to pay for necessary maintenance and improvement of common elements and common areas within

the development. However, prior to actually moving the funds, Brady Sullivan has asked for confirmation that this agreement satisfies the applicable condition of approval.

It is the opinion of the Planning & Development Department that the recent agreement between the Homeowners' Association and Brady Sullivan does satisfy the condition of approval and that the City need not play a role in approving uses that otherwise comply with common use requirements for Planned Unit Residential Developments (Section 501.2(K) of the Zoning Ordinance).

**NOTICE OF ACTION
LEBANON PLANNING BOARD**

Notice is hereby given that on **December 10, 2012** the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations.

Ken Morley moved that the Lebanon Planning Board finds the application of **BRADY SULLIVAN PROSPECT HILLS, LLC.** for an amendment to an conditional use permit #PB2012-30-SPA, is complete enough to accept jurisdiction and commence review.

The motion was seconded by Earl Jette. The vote on the motion was unanimous in favor.

Notice is hereby given that on **January 14, 2013** the following action was taken by a majority of the Lebanon Planning Board in accordance with the City of Lebanon Site Plan Review Regulations.

Tim McNamara moved that the Lebanon Planning Board **APPROVE** the application of **BRADY SULLIVAN PROSPECT HILLS, LLC.**, for an amendment to a Conditional Use Permit to remove a 5-foot-wide walking path within the designated open space as previously approved and recorded for Prospect Hills, a 170-unit Planned Unit Residential Development (PURD), located at Moulton Avenue and Prospect Street Extension, Tax Map 108, Lots 2 and 14, Lebanon, NH, in the R-3 zone, #PB2012-30-SPA, as described in "Petition for Deletion of Walking Path," received by the Planning Office on September 10, 2012, including any and all supplemental submissions, and testimony provided during the public hearing, with the following conditions:

1. The Planning Board hereby finds that the alignment of the "5-foot-wide stone dust walking path" and "designated rest areas including bench or picnic tables & trash receptacles" as depicted on the approved Open Space Plan for the Prospect Hills Development recorded in the Grafton County Registry on December 30, 2005, as amended and re-recorded on December 15, 2011, has the potential to negatively impact privacy, safety, and security within the neighborhood due to the physical build-out of the Prospect Hills development. The Board also notes that relocation of the walking path and designated rest areas is impractical due to the existing terrain, ledge, and vegetation along the perimeter of the development. As a result, the Planning Board hereby amends its Notice of Action, dated April 12, 2005, to modify Condition #6.1 to eliminate the requirement to construct the walking path and designated rest areas within the portion of the development north of Prospect Street. This modification shall not alter the requirement to construct the walking path and designated rest areas in the portion of the development south of Prospect Street, and the applicant shall take all appropriate steps before and during construction of the southern portion of the development to ensure that the walking path and designated rest areas can be constructed and/or installed as required without negatively impacting privacy, safety, or security of the residents and/or the users of the walking path.
2. The Open Space Adjustment Plan for the Prospect Hills Development, dated October 5, 2011, last revised November 28, 2011, shall be revised to depict the following plan changes and re-recorded by the applicant at the Grafton County Registry of Deeds:
 - a) The "5-foot-wide stone dust walking path" and "designated rest areas including bench or picnic tables & trash receptacles" shall be removed from the portion of the development north of Prospect Street (Map/Lot 108-14).
 - b) Prior to the signing and recording of the mylar, the Open Space Plan shall be stamped and signed by a NH Licensed Land Surveyor.

Lebanon Planning Board Notice of Action
Brady Sullivan Prospect Hills, LLC
Site Plan Amendment

3. In accordance with the letter from Marc Pinard of Brady Sullivan Prospect Hills, LLC, to Matt McKenney, dated January 14, 2013, the applicant shall place into escrow, or into a capital reserve fund for the Prospect Hills development, an amount equal to the cost of constructing the "5-foot-wide stone dust walking path" and "designated rest areas including bench or picnic tables & trash receptacles." Such funds shall be used for alternative improvements to the common elements and common areas of the development in accordance with the requirements of Section 501.2(K) of the Zoning Ordinance, as determined by the unit owners in accordance with the Association documents. The funds to be put into escrow by Brady Sullivan Prospect Hills, LLC, shall be held in escrow for a period not to extend beyond January 14, 2015.
4. The applicant shall provide a digital record drawing (Cad .dwg format using NH State Plane Coordinate system) prior to the signing and recording of the mylar.
5. The Planning Board acknowledges that the applicants have received consent for this plan alteration from a majority, but not all, of the unit owners in the subdivision. The Board's acceptance of this application is based on the applicant's interpretation of the Homeowners' Association documents. This interpretation of such documents and the enforcement of such issues is a matter of private real estate law, over which this Board has no jurisdiction, and nothing in this decision is meant to express any opinion, one way or another, on such issues. Neither this nor any other local land use board decision should be construed as authorizing any landowner(s) to violate any property rights held by another landowner.

The motion was seconded by Chris Armen. The vote on the motion was unanimous in favor.

Tim McNamara moved that the Lebanon Planning Board authorizes the Chair to sign the plat for **BRADY SULLIVAN PROSPECT HILLS, LLC**, #PB2012-30-SPA, as described above. The motion was seconded by Ken Morley. The vote on the motion was unanimous in favor. .

SIGNED: _____
City of Lebanon, Planning Board Chair

DATED: _____

Marc A. Pinard, General Counsel
Direct Line: 603 657-9715
Email: mpinard@bradysullivan.com
Licensed to practice in New
Hampshire & Massachusetts

January 14, 2013

Matt McKenney
90 Mountain View Road
Lebanon, NH 03766

Re: Prospect Hill Development Walking Path Amenity - Escrow

Dear Matt:

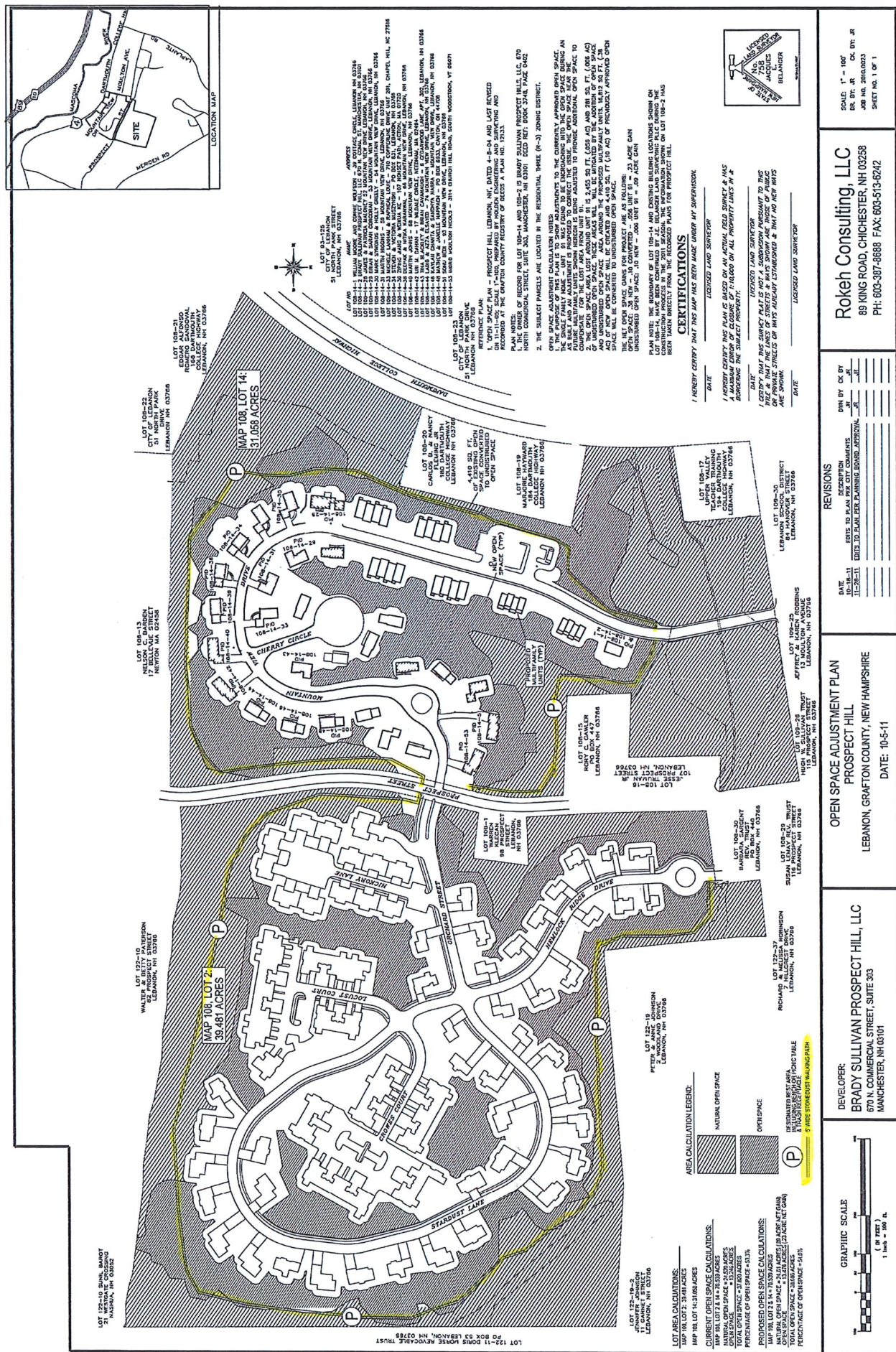
In connection with the Walking Path Amenity replacement, Brady Sullivan rescinds its letter dated December 10, 2012, is agreeable to establishing an escrow arrangement as follows:

Upon the Planning Board's decision allowing for the Phase I walking path being removed as a condition to the approvals, and such decision has become final and non-appealable, Brady Sullivan Prospect Hill, LLC shall contribute \$25,000 to an escrow account to be established subject to an agreement with the unit owners representative that the funds can be used for a sports court or other replacement amenity which is agreed to by Brady Sullivan and the unit owners. The \$25,000.00 shall be kept in an account for a period of time (a year perhaps). If in one year or so the unit owners and Brady Sullivan are in agreement, a sports court or other City approved replacement amenity could be built. The escrowed funds would not be spent without Brady Sullivan and the community representatives agreeing to how the funds are spent. A board will be formed consisting of two Brady Sullivan representatives and two unit owner representatives who are authorized to bind the unit owners. A vote of three of the four board members would determine how the escrowed funds are spent and absent such a vote, the money shall remain in the account for eventual use for the subdivision. If a deadlock occurs and is ongoing, the board would choose an independent mediator to be appointed to review the matter and break the deadlock.

Please let me know if you have any questions regarding this matter.

Very truly yours,

Marc A. Pinard
General Counsel



~~Introduction of Special Ordinance, Conditional Use Permit~~
Seconded by Chris Armen.

Chair LeClair asked if there should be a condition encouraging use of the lots for non-peak traffic. Ms. Painter said the Board does not have enough information to do that. Ms. Dahlstrom said DHMC will take the Board's concerns into account. Dr. Morley said the applicant should not be responsible for others' behavior.

Ms. Cormen suggested the following condition: "The applicant shall take appropriate steps to minimize the increase in peak-hour traffic by revisiting with the Planning Office the use of this lot upon Certificate of Occupancy for the Williamson Building." Ms. Dahlstrom said she needed to understand how they would know that that condition would be met and whether that meant the City would help manage DHMC's parking lot. Ms. Cormen withdrew her suggestion.

~~*The motion passed 5-2. Voting for the motion: Armen, LeClair, Monroe, Morley, Schwarz.
Voting against: Cormen, Painter.~~

- C. **BRADY SULLIVAN PROSPECT HILLS, LLC**—Request for an amendment to a Conditional Use Permit to remove the 5-foot-wide walking path as previously approved and adjust the open space plan as previously approved and recorded, for a 170-unit Planned Unit Residential Development, at Moulton Avenue and Prospect Street Extension, Tax Map 108, Lots 2 and 14, Lebanon, NH, in the R-3 zone. #PB2012-30-SPA

(Vice Chair McNamara returned to the Board at this time.)

Attorney Marc Pinard, representing the applicant, and Prospect Hill resident Matt McKenney appeared. Mr. Brooks reviewed the applicable condition of the original approval and information about the homeowners' association. He said he visited the site, along with Ms. Hall, Mr. McKenney and one other homeowner. He said it would be challenging to build the path in the alignment shown on the plan, and the path would be difficult to relocate. He said the path's location shows up only on the open-space plan, and it is not totally clear how much consideration was given to how it fits into the landscape. He reviewed the staff conclusions. He said if the escrow money is used for a project that complies with the Zoning Ordinance, the Planning Board does not need to be involved in the decision. If the project is one that would trigger site-plan review, perhaps the applicant should come back. He said the Planning Office has received four letters from residents supporting elimination of the path.

Vice Chair McNamara said he agrees with Mr. Brooks. He said this is an unfortunate situation that was not created by Brady Sullivan. The trail is essentially unbuildable and impinges on residents. He said the developer needs to set aside the true cost of the trail. Ms. Monroe said the PURD is intended to include untouched open space, and this was a poor plan for open space because it consists of separate pieces strung together, including the backyards of homes. She said

the original plan called for M&M Construction to dedicate a conservation easement. She said this project includes too many units for the land. She said a very small minority of the total future residents is making a decision for all of them.

Chair LeClair asked for public comment. Sonu Bedi of Mountain View Drive said the path does not go through his backyard, but he is opposed to the path. He does not see the path as an amenity. It will negatively affect members of the community, and it is a liability. He asked who will be responsible for cleaning up litter on the trail. He said the plan calls for rest areas with benches, but the owners have no control over how they are used. He asked who benefits from the path. If the public benefits and the homeowners face all of the negative consequences, that is not fair.

Ms. Cormen said she agrees with the Planning Office recommendation. The Subdivision Regulations require open space. She supports removing the condition if they are certain that \$25,000 is a fair cost for the trail, although she does not see how that is possible with two-thirds of a mile in difficult terrain.

Mr. Brooks said he spoke to the City Attorney. There is nothing special about the \$25,000 amount. The project to date is vested. If the applicant chooses to withdraw this application, there is nothing the Planning Board can do. He said he does not know what the cost of the trail is or should be; that is for the applicant and the residents to figure out. Mr. Pinard said bids for site work vary dramatically; the applicant has a legally binding bid for \$25,000, and if the applicant is required to move forward, that contractor will do the work. Other bids may not be productive; if the applicant is required to get other bids, they will build the path as quoted. The value to the residents is that they want the path eliminated.

Mr. McKenney said the potential gain for residents is peace of mind due to not having to worry about the path, and preservation of the natural area. Martin Johns of Mountain View Drive said he agrees with the opinions that have been expressed. The path on the upper level can be planned so it is in an unobstructed place, but as planned, the path is more of a negative. Dr. Morley said the Board made a rash decision in creating open space that is inadequate. The intention was not to create a public park. He said he supports deleting the condition. Mr. Pinard noted that he has a new letter about the \$25,000 quote. Because of concerns about decisions being made by two representatives of the developer and two residents, language was added allowing for an independent mediator if the two sides are deadlocked.

Don Perron of Water Street said he worked on the first five houses in this development but does not live there, and he encouraged the Board to delete the condition. He said he would not want an amenity like this imposed on him after moving in. Ms. Monroe said all agree that the path should go, but the regulations require open space that is held for everyone. The Planning Board needs to decide if a design fits well with the intent of the regulations, which were meant to allow people to walk by the woods. The path was developed to a five-foot-wide trail because of ADA concerns.

Hearing no further public comment, Chair LeClair closed the public hearing.

Tim McNamara moved that the Lebanon Planning Board approve the application of Brady Sullivan Prospect Hills, LLC for an amendment to a Conditional Use Permit to remove a 5-foot-wide walking path within the designated open space as previously approved and recorded for Prospect Hills, a 170-unit Planned Unit Residential Development (PURD), located at Moulton Avenue and Prospect Street Extension, Tax Map 108, Lots 2 and 14, Lebanon, NH, in the R-3 zone, #PB2012-30-SPA, as described in "Petition for Deletion of Walking Path," received by the Planning Office on September 10, 2012, including any and all supplemental submissions, and testimony provided during the public hearing, with the following conditions:

1. The Planning Board hereby finds that the alignment of the "5-foot-wide stone dust walking path" and "designated rest areas including bench or picnic tables & trash receptacles" as depicted on the approved Open Space Plan for the Prospect Hills Development recorded in the Grafton County Registry on December 30, 2005, as amended and re-recorded on December 15, 2011, has the potential to negatively impact privacy, safety, and security within the neighborhood due to the physical build-out of the Prospect Hills development. The Board also notes that relocation of the walking path and designated rest areas is impractical due to the existing terrain, ledge, and vegetation along the perimeter of the development. As a result, the Planning Board hereby amends its Notice of Action, dated April 12, 2005, to modify Condition #6.1 to eliminate the requirement to construct the walking path and designated rest areas within the portion of the development north of Prospect Street. This modification shall not alter the requirement to construct the walking path and designated rest areas in the portion of the development south of Prospect Street, and the applicant shall take all appropriate steps before and during construction of the southern portion of the development to ensure that the walking path and designated rest areas can be constructed and/or installed as required without negatively impacting privacy, safety, or security of the residents and/or the users of the walking path.
2. The Open Space Adjustment Plan for the Prospect Hills Development, dated October 5, 2011, last revised November 28, 2011, shall be revised to depict the following plan changes and re-recorded by the applicant at the Grafton County Registry of Deeds:
 - a) The "5-foot-wide stone dust walking path" and "designated rest areas including bench or picnic tables & trash receptacles" shall be removed from the portion of the development north of Prospect Street (Map/Lot 108-14).
 - b) Prior to the signing and recording of the mylar, the Open Space Plan shall be stamped and signed by a NH Licensed Land Surveyor.

3. **In accordance with the letter from Marc Pinard of Brady Sullivan Prospect Hills, LLC, to Matt McKenney, dated January 14, 2013, the applicant shall place into escrow, or into a capital reserve fund for the Prospect Hills development, an amount equal to the cost of constructing the “5-foot-wide stone dust walking path” and “designated rest areas including bench or picnic tables & trash receptacles.” Such funds shall be used for alternative improvements to the common elements and common areas of the development in accordance with the requirements of Section 501.2(K) of the Zoning Ordinance, as determined by the unit owners in accordance with the Association documents. The funds to be put into escrow by Brady Sullivan Prospect Hills, LLC, shall be held in escrow for a period not to extend beyond January 14, 2015.**
4. **The applicant shall provide a digital record drawing (Cad .dwg format using NH State Plane Coordinate system) prior to the signing and recording of the mylar.**
5. **The Planning Board acknowledges that the applicants have received consent for this plan alteration from a majority, but not all, of the unit owners in the subdivision. The Board’s acceptance of this application is based on the applicant’s interpretation of the Homeowners’ Association documents. This interpretation of such documents and the enforcement of such issues is a matter of private real estate law, over which this Board has no jurisdiction, and nothing in this decision is meant to express any opinion, one way or another, on such issues. Neither this nor any other local land use board decision should be construed as authorizing any landowner(s) to violate any property rights held by another landowner.**

Seconded by Chris Armen.

Ms. Monroe asked if there is supposed to be an entity that oversees open space. Mr. Brooks said there is a recorded declaration of covenants and restrictions that identifies the homeowners’ association as overseeing common land. Ms. Monroe asked if the zoning regulations require that land is permanently conserved, whether the association can reverse that. Mr. Brooks said it cannot. The association documents state that they must conform to the zoning regulations. Mr. Pinard said deletion of the walking path does not change the rules about the open space. Mr. Armen asked if the \$25,000 estimate included benches and picnic tables. Mr. Pinard said it does. Mr. Brooks suggested that the \$25,000 be put into the association’s capital reserve fund in case it does not get used within a year. Mr. Pinard said the developer offered that, but the homeowners wanted it to be specially earmarked and not part of the general capital reserve fund.

**The motion passed 8-0.*

Tim McNamara moved that the Lebanon Planning Board authorizes the Chair to sign the plat for Brady Sullivan Prospect Hills, LLC, #PB2012-30-SPA, as described above.

Seconded by Ken Morley.

***The motion passed 8-0.**

- E. DANIEL E. ROTHENBERG, w/s LEBANON LLC-S.R. WEINER & ASSOCIATES, INC.**—Request for a Site Plan Amendment to reduce a previously approved 23,000-square-foot addition to a 20,000-square-foot retail addition to The Upper Valley Plaza, located at 250 Plainfield Road/Route 12A, Tax Map 114, Lot 1, West Lebanon, NH, in the GC zone. #PB2012-37-SPA
- F. TWIN STATE SAND & GRAVEL CO., INC., c/o WARREN AMES**—Request for Site Plan Review of an Industrial Planned Unit Development within a proposed Planned Business Park on land of Twin State Sand & Gravel located at Elm Street West, Tax Map 102, Lot 4 and Tax Map 116, Lots 2 and 3, West Lebanon, NH, in the IND-RA and R-3 zoning districts. #PB2011-32-SPR

Ken Morley moved to continue the application of Daniel E. Rothenberg, w/s Lebanon, LLC-S.R. Weiner & Associates, #PB2012-37-SPA, to January 28, 2013 at 6:30 p.m. at City Hall and to continue the application of Twin State Sand & Gravel Co., Inc., c/o Warren Ames, #PB2011-32-SPR to February 11, 2013 at 6:30 p.m. at City Hall. Seconded by Tim McNamara.

***The motion passed 8-0.**

- D. ALTARIA LEBANON PARK, LLC/ANSYS, INC.**—Request for a Boundary Line Adjustment of lands located along NH Route 120 and 10 Cavendish Court, Tax Map 10, Lot 12, Tax Map 24, Lots 14 and 15 and Tax Map 10, Lot 11, Plot 3800, Lebanon, NH, in the IND-L and RL-3 zones. #PB2012-36-BLA

(Vice Chair McNamara recused himself at this time.)

Peter Knights of Altaria and Kevin Worden of Engineering Ventures represented the applicant. Mr. Worden said there was a question as to whether the new boundary line would enable ANSYS to meet setback requirements. He said but this would be a side-yard setback for them. The Centerra covenants require a 25-foot side-yard setback, and the City requires a 20-foot front setback. The plan shows a setback of 19.2 feet. He said the plan has been changed to add a small area of easement in front of the ANSYS building that is 6 feet wide, adjacent to the 44-foot right-of-way. He said the applicant is requesting a boundary line adjustment and a finding acknowledging that this is intended for future access to the Altaria project, waiving the requirement for a 50-foot right-of-way, as the intent of the 50-foot right-of-way will be met. He said the original plan called for a road over Mount Support, and the developer has worked hard

**Agenda
Planning Board
February 28, 2022**

**Agenda Item #4C
Other Business**

Discussion re: NHMA Legislative Policy Proposals



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Conservation Commission
Heritage Commission
Pedestrian & Bicyclist Advisory Committee
Planning Board

FROM: David Brooks, Planning & Development Director

RE: NH Municipal Association Legislative Policy Process

DATE: February 8, 2022

To Board, Committee, and Commission members

During its meeting on February 2, 2022, the City Council reviewed and discussed the New Hampshire Municipal Association's (NHMA's) Legislative Policy Process for 2023-2024.

Each Fall, NHMA holds a Legislative Policy Conference to establish priorities and positions on behalf of its member communities for the upcoming legislative sessions. The process begins with a solicitation of policy proposals from local officials to create an initial issues list. The deadline for communities to submit policy proposals is April 15, 2022. Upon receipt, NHMA's legislative policy committees, including General Administration and Governance, Finance and Revenue, and Infrastructure, Development, and Land Use, will review all policy proposals and make recommendations for the full Legislative Policy Conference in September.

This year, as part of the City's consideration of potential policy proposals, the Council has invited other boards and committees to provide ideas and input into the process. This is a new invitation that has not previously been extended to individual boards and committees in the past.

Attached for your review is NHMA's final adopted Legislative Policy Positions for 2021-2022. Many of the adopted policy positions do not relate to any individual board's or committee's areas of responsibility, or are tangential at best. However, some of the policy positions under the Infrastructure, Development, and Land Use may be relevant or of interest.

Please review the relevant adopted policy positions in advance of your next meeting. Then, each full board, committee, or commission will be given an opportunity to provide feedback to the City Council on policies that should be supported or opposed, as appropriate.

If there is an issue that is not represented among the currently adopted policy positions that a board or committee feels should be highlighted, a template form is provided for each proposed new legislative policy.

Understanding that this is a new process, department staff will be available to offer guidance to each board, committee, or commission for these discussions.



New Hampshire Municipal Association

2021-2022 Legislative Policy Positions

General Administration and Governance

Local Authority and Efficiency

NHMA supports maintaining local government authority without infringement by the state, and supports measures that enable municipalities to exercise existing authority more efficiently and with greater discretion.

NHMA supports:

- Legislation granting towns the same authority to adopt ordinances that cities have under RSA 47:17;
- The authority of municipalities to regulate or limit the use of firearms on municipal property, and to regulate the carrying of firearms by municipal employees while on duty;
- Legislation allowing a town, by vote of its legislative body, to authorize appointment of the town clerk or town clerk/tax collector by the governing body, or by the chief executive officer based on a town charter;
- Legislation allowing municipalities to satisfy notice publication requirements through the use of electronic notification rather than newspaper publication, in addition to posting notice in public places.

NHMA opposes legislation that detracts from existing local authority.

Right-to-Know Law

NHMA supports the purposes of the Right-to-Know Law: to ensure the greatest possible public access to the actions, discussions, and records of all public bodies, and to ensure government's accountability to the people. NHMA also supports measures to make the law clearer and make compliance with public access requirements easier and less burdensome for public officials and employees and less costly for taxpayers.

NHMA supports:

- Reasonable requirements to make governmental records available electronically if no additional cost is involved;
- The ability to recover reasonable labor costs for responding to voluminous, excessive, or vexatious record requests;
- Exemptions from disclosure that are easy to administer and that provide appropriate protection for confidential and other sensitive information;
- An expedited and inexpensive process for resolving right-to-know complaints;
- Legislation and funding that provide support for education about the Right-to-Know Law.

Elections

NHMA believes that state and local elections should be fair and open, that voting should be simple and convenient without risking election integrity or security, and that election processes should be efficient without imposing undue burdens on local officials.

NHMA supports:

- Establishment of an independent redistricting commission to draw election districts fairly and without regard to partisan advantage;
- Local autonomy over town and city elections;
- More frequent state review and approval of electronic ballot-counting devices;
- Registration and voting processes that are not unnecessarily complex or burdensome, either to voters or to election officials;
- The use of secure technology such as electronic poll books to make election processes more efficient;
- Greater flexibility in the processing of absentee ballots;
- State assistance for the cost of accommodations for disabled voters in local elections.

Labor and Employment

NHMA recognizes the importance of municipal employees, the need for good working conditions, and the right of employees to organize if they choose. NHMA also believes municipal employers should be free to set reasonable terms and conditions of employment or negotiate the same with their employees or employee representatives, without undue state interference.

NHMA supports existing laws governing public employee labor relations, and opposes changes that impose greater burdens or liabilities on employers.

NHMA opposes:

- Legislation creating a mandatory “evergreen clause” for public employee collective bargaining agreements;

- Mandatory binding arbitration as a mechanism to resolve impasses in municipal employee collective bargaining;
- A right to strike for public employees;
- New mandated employee benefits, including any proposal to enhance retirement system benefits that may increase employer costs in future years;
- Unnecessary limits on municipalities' discretion in making hiring decisions;
- Restrictions on municipalities' ability to privatize or use contracted services.

Substance Misuse Prevention & Response

NHMA supports programs to address substance use disorder and response to substance use issues, to include treatment and recovery support programs.

NHMA supports:

- State funding to address substance use disorder for the following efforts:
 - Prevention
 - Treatment
 - Recovery
 - Enforcement;
- Legislation that supports prevention, treatment, recovery, and enforcement efforts.

NHMA opposes:

- Reductions in state funding for substance use disorder or recovery support programs;
- Legislation that makes it more difficult to address the substance use disorder problem in our communities.

Finance and Revenue

Property Taxes and Related Revenues

NHMA supports legislation that allows municipalities to manage property tax levies in a manner that stabilizes tax rates and ensures equity, fairness, and efficiency in the assessment and collection of property taxes.

NHMA supports:

- The continuing right of municipalities to use any recognized method of appraisal upheld by the New Hampshire judicial system;
- Legislation to ensure that:

- property taxes are assessed to the proper owner by requiring that all owner name changes be separately filed at the registry of deeds when such an owner change is not created by a transfer of the property, and
- all liens, whether of a private or institutional nature, be filed at the registry of deeds, and that all changes to the name of a recorded lienholder be similarly filed;
- A legislative commission to study assessment and collection of property taxes and/or municipal utility fees on manufactured housing on land of another and on transient-type properties;
- Legislation ensuring fairness and accuracy in property tax exemptions including ensuring that all household income and assets are taken into account;
- Legislation that prohibits the use of the income approach by a taxpayer in any appeal of assessed value if the taxpayer refuses to provide such information as requested by the municipality;
- A legislative commission to study reimbursement through payments in lieu of taxes (PILOTs) for municipal services provided to exempt charitable properties, including charitable non-profit housing projects;
- Legislation amending RSA 80:56 to enable municipalities to charge a fee for any financial remittance issued to the municipality that is returned as uncollectible;
- Legislation to lower the abatement interest rate that municipalities pay under RSA 76:17-a from six percent to four percent to align it better with the interest rates on delinquent taxes that were lowered by the legislature in 2019.

NHMA opposes:

- Legislation that directly or indirectly increases property taxes, including but not limited to new or expanded mandatory exemptions or credits, or changes in the process for valuing, assessing, or taxing specific classes of properties;
- Legislation that undermines the basic goals of the current use program or reduces the 10-acre minimum size requirement for qualification for current use beyond those exceptions now allowed by the rules of the Current Use Board;
- Legislation that expands the definition of “charitable” in RSA 72:23-l unless the state reimburses municipalities for the commensurate loss of property tax base;
- An assessment methodology for big box stores that employs comparisons to “dark store” properties abandoned or encumbered with deed restrictions on subsequent use.

State Aid and Non-Property Tax Revenues

NHMA supports funding of state aid to municipalities, supports legislation authorizing local control over non-property tax revenue streams, and opposes legislation that reduces, suspends, or eliminates existing local taxes, fees, or state aid.

NHMA supports:

- Full restoration of revenue sharing under RSA 31-A;

- A state transportation policy that provides adequate and sustainable funding for state and municipal infrastructure and transportation systems and maintains at least the 12 percent share of state highway funds distributed to municipalities;
- Legislation authorizing the establishment of local option fees and providing for periodic adjustments to statutory fees to compensate for factors including, but not limited to, the effects of inflation, such as an increase in the maximum optional fee for transportation improvements;
- Legislation to ensure the collection of unpaid bills for ambulance and other emergency services;
- Reimbursement from the state for the cost of municipal services provided to state-owned properties;
- Legislation amending motor vehicle registration enforcement laws to ensure collection of all state and local registration fees owed by New Hampshire residents;
- Legislation amending RSA 36-A:5 II to allow trustees of trust funds to invest conservation funds instead of only the town treasurer, if voted by the legislative body;
- Programming that supports reduced cost, cost sharing, or equipment sharing that upgrades or replaces aging or unsafe transportation network(s) for towns.

NHMA opposes:

- Suspension of the statutory catch-up provision of the meals and rooms tax distribution;
- Diversion of state highway funds for non-state transportation network purposes.

New Hampshire Retirement System (NHRS)

NHMA supports the continuing existence of a retirement system for state, municipal, school, and county government employees that is secure, solvent, fiscally healthy, and financially sustainable, and that both employees and employers can rely on to provide retirement benefits for the foreseeable future.

NHMA supports:

- Restoration of the state's 35% share of employer costs for police, teachers, and firefighters in the current defined benefit plan and any successor plan;
- Inclusion of participation by a municipal official designated by NHMA on any legislative study committee or commission formed to research alternative retirement system benefits plans or designs;
- Performance of an actuarial analysis of any legislation proposing benefits changes or other plan changes that may affect employer contribution rates.

NHMA opposes:

- Legislation expanding benefits that increase current or future employer contribution costs;
- Legislation that assesses additional charges on employers beyond NHRS board-approved rate changes;
- Legislation that expands the eligibility of NHRS membership to positions not currently covered by the plan;

- Legislation further restricting a municipality's ability to employ NHRS retirees in part-time positions or the imposition of any fees or penalties associated with such employment.

Education Funding

NHMA supports a revenue structure for funding an adequate education to meet the state's responsibilities as defined by the constitution, statutes, and the common law with revenue sources that are predictable, stable, and sustainable.

NHMA supports:

- A revenue structure that is not disruptive to the long-term economic health of the state;
- A revenue structure that is efficient in its administration;
- A revenue structure that is fair to citizens with lower to moderate incomes.

NHMA opposes:

- Retroactive changes to the adequate education funding distribution formula after the notice of grant amounts has been provided to local governments.

Infrastructure, Development, and Land Use

Energy, Environment, and Sustainability

NHMA supports preservation and enhancement of municipal energy, climate, and sustainability planning for communities, protection of the natural environment, and implementation of clean and renewable energy, while recognizing the need for municipalities to manage their resources and the natural environment without undue cost.

NHMA supports:

- Legislation that broadens municipalities' ability to install and use renewable energy sources, including higher caps or elimination of caps on net energy metering;
- Legislation that provides financial and other assistance to municipalities for conservation techniques and installation and maintenance of renewable energy sources;
- Legislation that allows municipalities to adopt local environmental regulations that are no less stringent than those implemented by the state;
- Legislation that enables municipalities to enact measures that promote local energy and land use systems that are both economically and environmentally sustainable;

- Legislation that protects and preserves local natural resources and public infrastructure, builds community resilience, and fosters adaptation to climate change and mitigates its risks;
- Policies that support customer and community choice in energy supply and use competitive market-based mechanisms to promote innovation, cost effectiveness, and sustainability; and
- Legislation that provides state or federal assistance to municipalities to mitigate environmental inequity impacts faced by their residents, and drive early local engagement in decision processes.

NHMA opposes:

- Legislation that overrides local determinations of appropriate energy sources and regulations.

Water Resources Protection, Control, and Management

NHMA supports measures enabling municipalities to protect, control, and manage efficiently and safely water and its resources, treatment, and movement, with a focus on management and infrastructure. NHMA believes any new mandates that impose additional costs on municipalities must be funded by the state or federal government.

NHMA supports:

- Legislation that provides state or federal investment in maintaining and making improvements to the state's critical water infrastructure, including, but not limited to, public drinking water, wastewater, and stormwater systems, and dams;
- Legislation that encourages regional and innovative solutions to drinking water, wastewater, stormwater, and groundwater issues;
- Regulation of emerging contaminants at feasibly achievable levels when supported by relevant scientific and technical standards that are broadly accepted by peer review and cost-benefit analyses, when coupled with appropriate state or federal funding.

NHMA opposes:

- Enactment of stricter drinking water, wastewater, or stormwater regulations for municipalities unless any costs of compliance are funded by the state or federal government.

Solid Waste Management

NHMA recognizes the need for cost-efficient solid waste disposal mechanisms that allow municipalities to protect, control, and manage efficiently and safely solid waste. NHMA believes any new mandates that impose additional costs on municipalities must be funded by the state or federal government.

NHMA supports:

- Programs that support municipal, regional, and state efforts to handle solid waste disposal through reduction, reuse, recycling, resource recovery, composting, and other measures, while maintaining local control;
- Comprehensive state programs to deal with existing and emerging contaminants at no additional cost to municipalities.

NHMA opposes:

- Increased tipping fees to pay for solid waste programs unless they are fully reimbursed by the state.

Housing

NHMA recognizes the need for diverse and affordable housing in New Hampshire and the responsibility of each municipality to afford reasonable opportunities for the development of diverse and affordable housing. NHMA believes municipalities should have discretion in how to satisfy this responsibility and supports legislation that enables municipalities to find innovative ways to ensure an adequate supply of housing.

NHMA supports:

- Legislation that allows municipalities to require the inclusion of affordable and diverse housing opportunities as part of new housing developments;
- Financial and other incentives to municipalities to encourage development of diverse and affordable housing;
- Statewide efforts to provide housing for those recovering from substance misuse, subject to reasonable municipal regulation;
- Policies that encourage documentation and financial traceability of cash and bartered rental transactions;
- Legislation and policies that encourage creative and flexible approaches to meeting housing needs of current and future demographics in different regions.

NHMA opposes:

- Legislation and policies that allow for or encourage housing practices that exclude people from and decrease the availability of quality, affordable housing;
- Legislation that erodes local control over land use decisions.

Land Use

NHMA supports the long-standing authority of municipalities to regulate land use matters with minimal interference from the state.

NHMA supports:

- Legislation authorizing municipalities to regulate short-term rentals of residential properties, including licensing requirements and health and safety protections;
- Legislation enabling municipalities at their discretion to adopt more recent editions of national/international building and fire codes than the current state-adopted editions.

NHMA opposes:

- Legislation that limits municipal control in implementing statewide priorities in zoning and land use regulation;
- New state mandates requiring municipalities to allow specific types of housing;
- All other statewide land use mandates.

Information Technology, Communications, and Cybersecurity

NHMA supports initiatives to make the most current information and communication technology accessible to New Hampshire communities, so long as local authority over land use regulation and safety issues is not compromised.

NHMA supports:

- Legislation that increases the ability of municipalities, especially those in rural and remote areas, to facilitate and advance access to reliable broadband technology to the premises in their communities;
- Legislation that provides flexibility for municipalities in accessing poles and pole attachments, including legislation that directs the New Hampshire Public Utilities Commission to adopt the FCC rule on access to poles called “One-Touch-Make-Ready” in order to facilitate bringing high-speed fiber optic cable to service all New Hampshire communities, homes, and businesses by internet service providers (ISPs) in an expedient and cost-effective manner;
- Legislation that provides state and federal investment, including grants, for installation of high-speed fiber optic broadband technology to serve all New Hampshire communities, homes, and businesses;

- Legislation that requires or encourages and incentivizes providers to disclose information to local government relative to access and broadband connections provided in the municipality to help municipalities better understand and address the needs of their community;
- State investment in cybersecurity assistance to municipalities to protect data and infrastructure.

NHMA opposes:

- Legislation that limits municipalities' ability to prevent or regulate deployment of technologies that would impede vehicular or pedestrian passage on roadways or sidewalks;
- Statewide mandates on cybersecurity practices unless any associated costs are funded by the state or federal government.

Transportation

NHMA supports state policies that ensure access to convenient, efficient, reliable, and safe multi-modal transportation in New Hampshire as cost effectively as possible.

NHMA supports:

- Appropriate funding for state and local modes of transportation, including but not limited to roads, culverts, and bridges;
- Continued state and federal investment in public transit projects designed to reduce traffic on New Hampshire's roads.

NHMA opposes:

- Any action or inaction by the New Hampshire Department of Transportation that results in the downshifting of road, bridge, culvert, or drainage maintenance responsibilities from the state to municipalities.

Economic Development, Recovery, and Vitality

NHMA supports allowing municipalities to implement measures to foster economic development which allows for the preservation and creation of jobs and vitality within our communities.

NHMA supports:

- Legislation that allows for local adoption of more options and more flexibility to provide incentives for economic recovery and development;

- Expansion and more flexibility of state tax credit and exemption programs to foster economic recovery, development, and vitality.

NHMA opposes:

- Legislation that makes it more burdensome to implement economic recovery, development, and vitality measures.



New Hampshire Municipal Association 2023-2024 Legislative Policy Process

Explanation of Proposed Policy

Submitted by (Name): _____ Date: _____

Title of Person Submitting Policy: _____

City or Town: _____ Phone: _____

To see if NHMA will SUPPORT/OPPOSE:

Municipal interest to be accomplished by proposal:

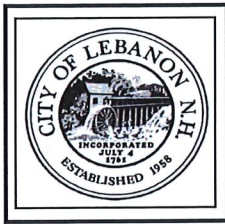
Explanation:

A sheet like this should accompany each proposed legislative policy. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal and an explanation that describes the nature of the problem or concern from a municipal perspective and discusses the proposed action that is being advocated to address the problem. Mail to NHMA, 25 Triangle Park Drive, Concord, NH 03301; or e-mail to governmentaffairs@nhmunicipal.org **no later than the close of business on April 15, 2022.**

**Agenda
Planning Board
February 28, 2022**

**Agenda Item #4D
Other Business**

Recap Master Plan Update Process



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: SCIMP Committee
Planning Board
Board/Committee Chairpersons and Staff Liaisons
City Department Heads

CC: Shaun Mulholland, City Manager
Paula Maville, Deputy City Manager
Planning Department Staff

FROM: David Brooks, Planning & Development Director

RE: Lebanon Master Plan Review and Update Process

DATE: January 4, 2022

As you know, the City's Master Plan was adopted by the Planning Board on March 26, 2012 as "a comprehensive plan to implement the community vision for 2030." We are now just over half-way through the 18-year planning horizon on which the Master Plan is based.

Previous implementation strategies created with and for the Steering Committee for the Implementation of the Master Plan (SCIMP) envisioned focusing efforts and resources on key themes for certain time periods, while leaving open the possibility of addressing significant issues as they arose (see the Gantt chart below). In reality, the City has had to be much more flexible and opportunistic in its implementation efforts and has rarely been able to focus on themes in the sequence or for the duration envisioned in the chart below. As an example, Downtown Lebanon became a focus as early as 2014 due to concerns brought to light by the condition of the tunnel under the pedestrian mall. As a result, efforts to focus on West Lebanon's downtown were delayed until late 2019. Similarly, the City has already begun to take a more proactive approach to economic development instead of waiting until 2023.

Master Plan Theme	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
transportation																		
landuse																		
env/energy																		
openspace																		
water resource																		
nat res protection																		
cult/arts																		
downtown - W Leb																		
downtown - Leb																		
urban design																		
historic																		
housing																		
utilities																		
recreation																		
econ dev																		
dev review																		
government																		

Shading represents the years where the theme is a focus. Gradient indicates opportunistic addressing of theme.
Does not preclude opportunistic (grants, co-located projects, etc.) addressing of Master Plan actions at other times
MP Update - proposed timeframe for updating the Master Plan
MP Redo - proposed timeframe for a major overhaul of the Master Plan and the Master Plan process

Although the City has addressed a lot of the actions and strategies outlined in the Master Plan and made progress on many of the Plan's themes, implementation overall has been much more scatter-shot than originally intended.

Tracking and reporting on implementation efforts has also been a challenge. The 2012 Master Plan does not include a stand-alone implementation chapter and there is often little detail included within the chapter Outcomes as to how or when to address the various actions and strategies. In the first years after adoption, there was relatively little attention paid on how to keep track of efforts and resources and how best to report on successes and achievements to the broader public. As a result, by the time the Planning Department, Planning Board, and SCIMP attempted to develop a tracking and reporting system around 2018, the task of summarizing more than 6 years of effort across 17 themes had become overwhelming and never gained significant traction.

The original implementation strategy anticipated two planned updates to the Master Plan to be undertaken 6 years and 12 years following adoption, specifically in 2018 and 2024. However, while the effort to create a tracking and reporting process stalled, there was no effort made at a general Master Plan update around 2018. Now that nearly 10 years have passed since its adoption, a review and update of the Master Plan is warranted.

In the years since the Master Plan was adopted, it has become clear to the Planning Department that the SCIMP committee may not be the best mechanism for implementing or updating the Plan. Composed of members of the City Council, Planning Board, and Conservation Commission, SCIMP does not have broad representation reflecting the themes covered by the Master Plan or necessarily even a solid understanding of what has been happening or should be happening with other chapters of the Plan, such as Economic Development, Historic Resources, or Community Design and Civic Art. As a result, the Planning Department envisions winding down and eliminating the SCIMP committee.

Instead, the Planning Department now envisions working directly with existing boards or committees, whenever possible, to review and update individual chapters of the Master Plan. Where there is an existing board or committee whose purpose and charge aligns with a particular chapter of the Master Plan, we believe that board or committee is much better positioned than SCIMP to function as the "champion" for reviewing and updating the chapter and, subsequently, to monitor implementation and track progress into the future. For example, Planning staff proposes to work with the Economic Development Commission on the Economic Development chapter (Chapter 6), the Heritage Commission on the Historic Resources chapter (Chapter 11), and the Arts & Culture Commission on the Community Design and Civic Art chapter (Chapter 12). For any chapters where there is no existing board or committee to work with (e.g. Community Facilities and Services or Housing), the Planning Department proposes to create a short-term task force or working group composed of appropriate stakeholders to complete the review and update process.

To ensure adequate staffing and other resources for the effort and to avoid burnout in the process, the Planning Department proposes to address a few chapters per year over a multi-year period. The chapter update process would begin with a review of the *Vision & Purpose* statement to ascertain whether, in the opinion of the board, committee, or working group, it still accurately reflects the community's goals or needs with respect to the particular topic. Where a *Vision & Purpose* statement is determined to still be accurate, the next step would be to review and validate the *Issues & Priorities* section and to bring the *Existing Conditions & Trends* and *Future Challenges & Opportunities* sections up-to-date based on actions and accomplishments or changes of circumstances since 2012. Finally, the update process would include a review and update of the *Outcomes* and the corresponding *Strategies* and *Actions* for each chapter to remove strategies or actions that have been completed or deemed inappropriate and to consider adding

new strategies or actions that may now be feasible. Where possible, it may be appropriate to consider adding an implementation section and/or further details on timelines, key stakeholders, potential costs, and funding sources for the updated actions and strategies. Following the review and update process by the appropriate board, committee, or working group, the revised chapter would be forwarded to the Planning Board for review, a public hearing, and proposed adoption into the Master Plan.

If, during the chapter review process, it is determined that a current *Vision & Purpose* statement is no longer accurate or reflective of the community's goals or needs, then it would most likely be appropriate to re-engage the broader public as part of a visioning process for that particular chapter before revisiting the other sections of the chapter. The Planning Department will determine a process and schedule for any such visioning efforts, as necessary.

The Planning Department proposes the following tentative schedule for reviewing and updating Master Plan chapters on a rolling basis over the next few years, (understanding that the timing and sequence of chapter updates may still change):

<u>Year</u>	<u>Chapter</u>	<u>"Champion"</u>
2022	Natural Resources (Ch. 5)	Conservation Commission
2022	Energy (Ch. 13)	Lebanon Energy Advisory Committee
2023	Housing (Ch. 7)	Working Group/TBD
2023	West Lebanon CBD (Ch. 4)	West Leb. Revitalization Advisory Comm.
2023	Economic Development (Ch. 6)	Economic Development Commission
2024	Historic Resources (Ch. 11)	Heritage Commission
2024	Transportation (Ch. 9)	Working Group/TBD
2024	Recreation (Ch. 10)	Working Group/TBD
2023	Community Art and Civic Design (Ch. 12)	Arts & Culture Commission
2025	Community Facilities and Services (Ch. 8)	Working Group/TBD
2025	Land Use (Ch. 2)	Planning Board
2025	Lebanon CBD (Ch. 3)	Working Group/TBD

At the end of the process outlined above, we anticipate having an updated Master Plan that will continue to guide the community through to the end of the original planning horizon of 2030. We will also have engaged boards and committees primed to continue monitoring implementation efforts, tracking progress, and reporting on achievements.