



**LEBANON CONSERVATION COMMISSION
FEBRUARY 9, 2023 - 6:30 PM
DAMREN ROOM - LEBANON LIBRARY - 9 EAST PARK
STREET, LEBANON
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

-
- 1. Call to Order**
 - 2. Approval of Minutes**
 - A. January 12, 2023
 - 3. Open to the Public**
 - 4. Permit Review**
 - A. None
 - 5. Study Items**
 - A. Zoning Amendments Ballot Amendments concise statements
 - B. Goals for 2023
 - C. Ticknor Property - site walk recap
 - 6. Conservation Land Stewardship**
 - 7. Committee Reports**
 - A. **Reports from other committees:**
 - Conservation Lands Monitors (10 Minutes)
 - Lebanon Biodiversity Group (10 Minutes)
 - Workshops & Educational Opportunities (10 Minutes)
 - 8. Other Business**
 - 9. Future Agenda Items**
 - 10. 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.

DRAFT

**CONSERVATION COMMISSION
REGULAR MEETING MINUTES
Remote Via Microsoft Teams
LebanonNH.gov/Live
January 12, 2023
6:30 PM**

MEMBERS PRESENT: Sarah Riley (Chair), Bruce James (Vice Chair), Ernst Oidtmann, Donald Lacey, Chris Johnson, Barbara Hirai (Alt.)

MEMBERS ABSENT: Erling Heistad, Susan Almy, Sean Dittrich (Alt.)

STAFF PRESENT: Mark Goodwin (GIS Coordinator)

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

2
3 *Ms. Hirai sat for Mr. Heistad.*

4
5 **2. APPROVAL OF MINUTES: December 8, 2022**

6 *Mr. Oidtmann MOVED to approve the December 8, 2022 minutes, as amended.*
7 *Seconded by Mr. James.*

- 8
9 - *Page 4, Line 18: strike “July” and strike “and it.”*
10 - *Page 4, Line 18: add “Center” after “Stormwater”*
11 - *Page 6, Line 1: change “include” to “include discussion of the problem of”*
12 - *Page 5, Line 5 change “provisor” to “proviso”*

13 ** The Vote on the MOTION was approved (6-0-0).*

14
15 **3. Election of Officers**

16
17 *Mr. Lacey MOVED to nominate Sarah Riley as Chair of the Lebanon Conservation*
18 *Commission.*

19 *Seconded by Ms. Hirai.*

20
21 ** The Vote on the MOTION was approved by roll call: Sarah Riley – aye; Bruce James – aye;*
22 *Ernst Oidtmann - aye; Susan Almy – aye; Donald Lacey – aye; and Chris Johnson – aye; (6-*
23 *0-0).*

24
25 *Chair Riley MOVED to nominate Bruce James as Vice Chair of the Lebanon Conservation*
26 *Commission.*

27 *Seconded by Mr. Oidtmann.*
28

1 *** The Vote on the MOTION was approved by roll call: Sarah Riley – aye; Bruce James – aye;**
2 **Ernst Oidtmann - aye; Susan Almy – aye; Donald Lacey – aye; and Chris Johnson – aye; (6-**
3 **0-0).**

4
5 **4. PERMIT REVIEW**

6 None.

7
8 **5. STUDY ITEMS**

9 **A. Goodwin Conservation Property Bridge Project Update**

10 The Commission discussed what type of bridge it would like to see in this area. Mr. Goodwin
11 noted that a Contech engineering bridge for this area would cost approximately \$75,000, with
12 installation estimated at approximately \$100,000. A second option, the Hanover Mink Brook
13 design, will likely have a lower cost and include minimum site disturbance. Chair Riley stated
14 that she believes the City needs to consider the sustainability and environmental cost of whatever
15 option is chosen. The group discussed if it should use LOST funds towards this project.

16
17 Mr. Johnson stated that, if the bridge is slated to last for 30-50 years, there will be time to work
18 out any issues with the parking area and fixing trails within the area. These issues should not halt
19 the Commission moving forward with the project. It is ideal to use LOST funds to acquire new
20 properties, but the Commission should also consider using them to keep existing properties up to
21 date.

22
23 Chair Riley stated that she has concerns with the cost of the Contech bridge, along with a
24 concern that this would require further widening of the road from Meriden Road.

25
26 The Commission agreed that it was not currently ready to vote to expend funds to purchase a
27 bridge. Chair Riley stated that she believes other properties are more in need of labor and funds.
28 She stated that she feels this proposed bridge is an ultimatum that she is not ready to move
29 forward with. Mr. Lacey stated that he believes the Commission should use some of the \$1.4M it
30 has to purchase this bridge. It would then still have plenty of funding to undertake projects at
31 other properties. Ms. Hirai stated that the Commission should look for other ways to use these
32 funds.

33
34 **B. Master Plan Chapter Update (continued)**

35 Mr. Lacey asked what the Planning Department is looking for. Chair Riley stated that she would
36 like the Commission to present a document it can stand behind. She stated that she does not
37 believe the submission will be overly edited by the Planning Board. Mr. Lacey stated that he is
38 trying to make sure this document does not go too far into the weeds.

39
40 Chair Riley suggested wording for an updated air quality and air pollution section, with specific
41 information for Lebanon. She also suggested additional language that the City should consider
42 adopting a blasting ordinance, with the ability to consult a hydrogeologist, as needed. Chair
43 Riley suggested additional language regarding urban forests, as drafted by the Tree Board.

44
45 **C. Discussion re: Potential disposition of City-owned parcels for housing (continued)**

1 The Commission discussed criteria for adding parcels to this list. The Commission reviewed Lot
2 82-11 as a potential open space lot. This property contains soils of State importance. The
3 Commission discussed Lot 106-49. Chair Riley suggested that this lot be considered for a pocket
4 park, as it is located along the Mascoma River. The Commission reviewed Lot 109-39. This lot
5 creates scenic value for the rail trail.
6

7 ***Mr. Lacey MOVED to extend the meeting for 30 minutes.***

8 ***Seconded by Ms. Hirai.***

9 **** The Vote on the MOTION was approved (6-0-0).***
10

11 The Commission discussed Lots 131-7 and 14-23, as lots to remain as open space. The
12 Commission discussed Lot 26-27. The overall decision of the Commission was to keep this lot at
13 this time. The Commission discussed Lot 77-107. This lot may help mitigate light and noise
14 from nearby Route 89. The Commission discussed Lot 64-1. The Commission agreed to
15 recommend the City not retain 11 of the properties on the list.
16

17 **6. COMMITTEE REPORTS**

18 **A. Conservation Committee Reports:** 19

20 Mr. Lacey reported from the Biodiversity Committee regarding Baker's Crossing.
21

22 Chair Riley stated that, regarding a Conservation Land Stewardship report, she would like to
23 hear from the Ranger and/or Trail Steward Coordinator. Mr. James stated that a lot of trail work
24 is needed, likely in the spring. He has visited Boston Lot/Landmark Land, Ticknor, Signal Hill,
25 and some other areas to do work.
26

27 Chair Riley stated that she would like to hear a trail monitor/steward report. Ms. Hirai reviewed
28 some of the trail work recently completed by stewards. She stated that the Two Rivers area needs
29 quite a bit of work.
30

31 Chair Riley stated that there was a Wild About Lebanon program on December 10th.
32

33 **7. OTHER BUSINESS**

34 Chair Riley stated that she would like for the Commission to review its annual goals. She would
35 also like to review the Ticknor property on a future agenda. There will be a wetland training
36 webinar series, starting on January 27th. She suggested that Commissioners attend these
37 trainings.
38

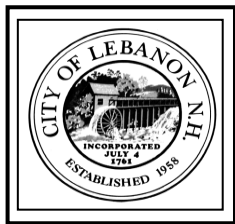
39 **8. FUTURE AGENDA ITEMS:** 40

41 **9. OPEN TO THE PUBLIC:** 42

43 **10. ADJOURNMENT:** 44

45 **The meeting was adjourned at 9:27 PM.**
46

- 1 Respectfully submitted,
- 2 Kristan Patenaude
- 3 Recording Secretary



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Conservation Commission

FROM: Planning & Development Department Staff

RE: Preparation of Concise Statements for Zoning Ordinance Amendments

DATE: February 1, 2023

Following a public hearing on January 18, 2023, the City Council approved motions to place the following four (4) proposed Zoning Ordinance amendments on the March 2023 municipal ballot for consideration by Lebanon voters (the :

1. Adopt proposed Section 509 ("Cottage Developments") and amend the R-1, R-2, R-3, R-O, and R-O-1 district tables to allow Cottage Developments by Conditional Use Permit.
2. Revise the manufactured housing regulations, Sections 503 and 504, together with related amendments to Sections 209, 308.2, 312.2, 313.2, 500, 501.2.C and Appendix A.
3. Amend Section 314.2, the RL-3 District Table of Uses, to change "accessory use to any one-family dwelling" from a use allowed by Special Exception to a permitted use.
4. Amend Section 610 ("Accessory Dwelling Unit (ADU)") to allow an accessory dwelling unit for an owner-occupied two-family dwelling.

The proposed Ballot Amendments are highlighted in the attached red-lined excerpt of the Zoning Ordinance. The new or revised text is blue and underlined. The text to be deleted is shown as ~~red with a strike-out~~.

On February 9th, the Conservation Commission will be asked to adopt a concise statement explaining the Commission's position with respect to each of the four amendments, as required by Section 1000.4.C of the Zoning Ordinance. To assist, Planning & Development Department staff have prepared draft concise statements for the Commission's consideration (see attached).

Section 1000.4.C of the Zoning Ordinance also requires concise statements from the City Council and Planning Board. The Planning Board approved its concise statements on January 23, 2023, which are attached for reference. The City Council prepared its concise statements on February 1, 2023. The substance of the Council's concise statements are substantively identical to the Planning Board's.

Attachments

- Draft Conservation Commission Concise Statements
- Planning Board Concise Statements, adopted January 23, 2023
- Excerpt of Zoning Ordinance (redline last revised January 10, 2023)

Conservation Commission Concise Statements for Proposed Zoning Amendments

Amendment #1 (Cottage Developments)

The Lebanon City Council approves of and endorses the adoption of the proposed zoning amendment as it supports the overall goals and desired outcomes of the Lebanon Master Plan. Allowing residential developments with smaller and more energy efficient dwelling units will enable the development of needed housing in a more compact form that supports a sustainable community and promotes efficient land use while ensuring compatibility with surrounding neighborhoods.

Amendment #2 (Manufactured Housing)

The Conservation Commission has determined the proposed Zoning Amendment has no conservation implications.

Amendment #3 (Accessory Uses in the Rural Lands Three (RL-3) District)

The Conservation Commission has determined the proposed Zoning Amendment has no conservation implications.

Amendment #4 (Accessory Dwelling Units)

The Conservation Commission has determined the proposed Zoning Amendment has no conservation implications.

Planning Board Concise Statements for Proposed Zoning Amendments

Amendment #1 (Cottage Developments)

The Lebanon Planning Board approves of and endorses the adoption of the proposed zoning amendment as it supports the overall goals and desired outcomes of the Lebanon Master Plan. Allowing residential developments with smaller and more energy efficient dwelling units will enable the development of needed housing in a more compact form that supports a sustainable community and promotes efficient land use while ensuring compatibility with surrounding neighborhoods.

Amendment #2 (Manufactured Housing)

The Lebanon Planning Board approves of and endorses the adoption of the proposed zoning amendment as it supports the overall goals and desired outcomes of the Lebanon Master Plan. The proposed amendment will help encourage and facilitate needed housing by enabling additional manufactured housing development that is comparable to the manufactured housing developments that already exist within the City.

Amendment #3 (Accessory Uses in the Rural Lands Three (RL-3) District)

The Lebanon Planning Board approves of and endorses the adoption of the proposed zoning amendment to remove the requirement for a Special Exception for accessory structures to one-family dwellings in the RL-3 District. Requiring a Special Exception from the Zoning Board of Adjustment in order to construct an accessory structure to a one-family dwelling is an undue and unnecessary burden on property owners without any substantial benefit to the public.

Amendment #4 (Accessory Dwelling Units)

The Lebanon Planning Board approves of and endorses the adoption of the proposed zoning amendment as it supports the overall goals and desired outcomes of the Lebanon Master Plan. Allowing ADUs for owner-occupied two-family dwellings will encourage additional opportunities for affordable housing with dwelling units that are proportionately sized to the existing dwelling, and which preserve community character.

DRAFT AMENDMENTS TO THE CITY OF LEBANON ZONING ORDINANCE

ARTICLE II GENERAL PROVISIONS

[...]

SECTION 205 ONE PRINCIPAL STRUCTURE PER RESIDENTIAL LOT.

There shall be only one **principal structure** on a **lot** in the **residential districts**, R-O district, and R-O-1 district, except when:

205.1 Approved pursuant to the PUD provisions of this Ordinance or as a cottage development per Section 509; or

[...]

SECTION 209 MANUFACTURED ~~HOMES~~HOUSING.

Manufactured ~~homes~~housing units are permitted only in **manufactured ~~home~~housing parks** or in ~~manufactured home subdivisions or manufactured home Planned Unit Residential Developments (housing PURDs)~~. See ~~Sections:~~ Section 503 ("MANUFACTURED HOUSING PARKS") and Section 504 ("MANUFACTURED HOUSING PURDs").

[...]

ARTICLE III USE DISTRICTS

[...]

SECTION 308 RESIDENTIAL ONE DISTRICT (R-1).

[...]

308.2 Table of Uses.

<u>Permitted Uses</u>	<u>Uses by Conditional Use Permit (see Section 302.4)</u>
[...] <u>Planned Developments</u> 1. Manufactured homehousing park per Section 503 2. Manufactured home subdivision per Section 504 (or Manufactured homehousing PURD <u>per Section 504</u>)	<u>Residential</u> 1. <u>Cottage development per Section 509</u>

SECTION 309 RESIDENTIAL TWO DISTRICT (R-2).

[...]

309.2 Table of Uses.

<u>Permitted Uses</u>	<u>Uses by <i>Conditional Use</i> Permit</u> <u>(see Section 302.4)</u>
[...]	<u>Residential</u> 1. <u><i>Cottage development</i> per Section 509</u>

[...]

SECTION 310 RESIDENTIAL THREE DISTRICT (R-3).

[...]

310.2 Table of Uses.

<u>Permitted Uses</u>	<u>Uses by <i>Conditional Use</i> Permit</u> <u>(see Section 302.4)</u>
[...]	<u>Residential</u> 1. <u><i>Cottage development</i> per Section 509</u>

[...]

SECTION 311 RESIDENTIAL-OFFICE DISTRICT (R-O). [...]

[...]

311.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
[...] 4.	[...] 4.
	<u>Uses by Conditional Use Permit</u> (see Section 302.4)
	<u>Residential</u> <u>1.Cottage development per Section 509</u>

[...]

SECTION 311A RESIDENTIAL-OFFICE-ONE DISTRICT (R-O-1).

[...]

311A.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
[...] 4.	[...] 4.
	<u>Uses by Conditional Use Permit</u> (see Section 302.4)
	<u>Residential</u> <u>1.Cottage development per Section 509</u>

[...]

SECTION 312 RURAL LANDS ONE DISTRICT (RL-1).

[...]

312.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
[...] <u>Planned Developments</u> Manufactured home park<u>housing</u> per Section 503 Manufactured home subdivision per Section 504 (or <u>M</u>manufactured home PURD per Section 504 3. [...]	4. [...]

[...]

SECTION 313 RURAL LANDS TWO DISTRICT (RL-2).

[...]

313.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
[...] <u>Planned Developments</u> Manufactured home park<u>housing</u> per Section 503 Manufactured home subdivision per Section 504 (or <u>M</u>manufactured home housing PURD per Section 504) [...] 3.	[...] 4.

[...]

SECTION 314 RURAL LANDS THREE DISTRICT (RL-3).

[...]

314.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
[...] <u>Planned Developments</u> [...] <u>Accessory use to any one-family dwelling</u>	[...]

[...]

ARTICLE V SUBDIVISIONS AND PLANNED DEVELOPMENTS

SECTION 500 GENERAL.

[...]

Planned developments shall be permitted in accordance with the following table:

District	PURD per Section 501.2	PRec per Section 501.3	Industrial PUD per Section 501.4	Commercial PUD per Section 501.4	Manufactured Housing PURD per Section 501.2 / Manufactured Home Housing Park per Section 503 and Manufactured Home Subdivision per Section 504	Recreational Camping Parks per Section 505	Medical Center Complexes per Section 506	Planned Business Park per Section 508	Cottage Development
IND-L			CUP					CUP	
IND-RA			CUP					CUP	
GC				CUP					
GC-1				CUP					
CB				CUP					
LD									
R-1	CUP				CUP / P				CUP
R-2	CUP								CUP
R-3	CUP*								CUP
R-O	CUP								CUP
R-O-1	CUP								CUP
PB						SE			
RL-1	CUP *	CUP			CUP / P	SE			
RL-2	CUP *	CUP			CUP / P	SE			
RL-3	CUP *	CUP							
MC				CUP			P		

P = permitted

SE = **special exception** required

CUP = **conditional use** permit required

*Subject to Section 501.2.B.1.

SECTION 501 PLANNED UNIT DEVELOPMENT (PUD).

[...]

501.2 Planned Unit Residential Development (PURD).

[...]

C. Uses Allowed in a PURD.

1. Residential Uses. A PURD may include ***dwelling units*** in ***one-family, two-family*** and ***multi-family dwellings***. A mix of ***dwelling*** types may be permitted at the reasonable discretion of the Planning Board. In a ***manufactured home-housing PURD*** only ***manufactured housing unit***~~homes~~ are permitted and shall be on individual lots.
2. Non-Residential Uses. Certain non-residential uses may be established within a PURD, subject to the following provisions:

[...]

[This provision shall not apply to a manufactured housing PURD.](#)

3. All Other Uses in Underlying Zoning District. Any use permitted in the zoning district in which the PURD is located may be permitted within the PURD. Uses allowed by ***special exception*** or by ***conditional use*** permit in the underlying zoning district where the PURD is located may also be permitted within the PURD, and shall not require a ***special exception*** from the Zoning Board or a separate ***conditional use*** permit from the Planning Board. [This provision shall not apply to a manufactured housing PURD.](#)

SECTION 503 MANUFACTURED ~~HOME~~-HOUSING PARKS.

503.1 Area.

A manufactured ~~home~~-housing park shall have an area not less than 10 acres~~-not more than 50 acres.~~

503.2 Layout.

A. A manufactured ~~home~~-housing park shall provide:

1. Individually designated spaces for each manufactured ~~home~~-housing unit.
2. Interior access streets for all spaces. Such streets shall have a ~~right-of-way at least 40 feet in width and a~~ surface travel way at least 20 feet in width built on 12 inches of compacted gravel. [All interior streets shall be named in accordance with emergency 911 provisions, and shall provide adequate interior circulation with no dead ends unless otherwise approved by the Fire Department.](#)
3. ~~All-weather walkways along streets.~~

43. At least ~~20~~15 percent of the total area for common open space or recreation, ~~exclusive of wetlands and slopes of 25% or more~~. This area shall not include roads, streets, **parking areas**, **service areas**, non-recreation **accessory buildings** or similar facilities. This area may include facilities for recreation and/or playgrounds.

54. A **buffer** at least ~~50~~25 feet in width maintained as a landscape area abutting all manufactured home property lines.

~~6. Adequate facilities for recreation and/or playgrounds.~~

B. A manufactured ~~home~~home-housing park shall have Site Plan Review approval from the Planning Board.

503.3 Manufactured ~~Home~~Home-Housing Spaces.

A. Each manufactured ~~home~~home-housing space shall be at least ~~105~~105,000 sq. ft. in area and shall front on an interior access street.

B. Each space shall have a separate **driveway**.

C. Each space shall include a **parking area** built on 12 inches of compacted gravel. Said **parking area** shall be large enough to accommodate two parking spaces; ~~each 10 feet wide by 22 feet long~~.

~~D. At least 100 sq. ft. of indoor storage.~~

~~E.D.~~ Manufactured ~~home~~home-housing unit spaces shall not be located on slopes having a natural grade of ~~15~~10% or greater.

503.4 Utilities and Services.

For each manufactured housing unit:

A. ~~An attachment for water supply.~~ The water supply source must meet all local and state regulations.

B. ~~An attachment for sewage disposal.~~ The method of sewage disposal must be in compliance with all local and state regulations. ~~It shall not be located on the manufactured home space or any adjacent manufactured home space unless the manufactured home space is at least 1 1/2 acres in size.~~

C. ~~An electrical source supplying at least 60 amps, 120/240 volts.~~ The installation shall comply with all applicable state and city electrical laws and regulations. ~~Such electrical outlets shall be weatherproof.~~ All electrical, television and other wired services shall be installed underground.

D. Provisions for disposal of household garbage and rubbish.

503.5 Siting Manufactured ~~Homes~~Housing Units.

- A. A nonporous pad shall be provided for each manufactured ~~home~~housing unit.
- B. No manufactured ~~home~~housing unit shall be closer than ~~50-25~~ feet to a public street right-of-way or to a property line of the manufactured ~~home~~housing park.
- C. A manufactured ~~home~~housing unit shall be located so that it is at least 20 feet from the ~~right-of-way~~surface of the interior road and ~~ten-10~~ feet from any other manufactured ~~home~~housing unit space.

503.6 Density.

One (1) **manufactured housing** unit per 5,000 sq. ft. of **lot area** is permitted, except that in the R-1 District the permitted density shall be as set forth in Section 308.2.

**SECTION 504 MANUFACTURED ~~HOME~~-HOUSING
SUBDIVISIONS**PURDs.

Manufactured housing PURDs are allowed by **conditional use** permit per Section 501.1 and shall satisfy all requirements of Section 501.1 and Section 501.2. Notwithstanding the applicability standards set forth in Section 501.2.B.1, the minimum lot size for a **manufactured housing PURD** shall be 20 acres, and notwithstanding the density requirements of Section 501.2.D.2, one (1) **manufactured housing** unit per 5,000 sq. ft. of **lot area** is permitted, except that in the R-1 District the permitted density shall be as set forth in Section 308.2. The number of dwelling units may be increased by up to 12 percent at the discretion of the Planning Board, per Section 507.
~~Manufactured home subdivisions shall be at least 20 acres in size and shall have at least six (6) lots. Each lot shall have at least two (2) parking spaces. Manufactured Home PURDs are allowed, in accordance with Section 501.2.~~

[...]

SECTION 509 COTTAGE DEVELOPMENTS.

509.1 Purpose. The purpose of this section is to provide opportunities for single family housing that is small, energy-efficient, and affordable; to allow flexibility in site and design standards while promoting projects that ensure compatibility with surrounding land uses and existing neighborhoods; and to promote sustainability and neighborhood interaction through integrated design.

Cottage developments are intended to serve as part of the City's overall housing strategy to encourage affordability, innovation and variety in housing design and site development while ensuring compatibility with existing neighborhoods, and to promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition and individual needs.

509.2 Applicable Use Districts. **Cottage developments** are allowed by **conditional use** on Class 1 lots in the R-1, R-2, R-3, R-O, and R-O-1 Districts, in accordance with Section 302.4.D and the requirements of this section.

509.3 Number and Arrangement of Units. **Cottage developments** shall contain a minimum of three (3) and a maximum of sixteen (16) **cottages**, located in one or more clusters to maximize efficiency of land use and to encourage a sense of community among the residents. Each cluster shall include a minimum of three (3) units.

509.4 Lot Size. All **cottage developments** shall have a minimum lot area of 20,000 sq. ft., except in the R-2 and R-3 District, where a minimum lot area of 40,000 sq. ft. shall be required.

509.5 Density and Building Coverage. Permitted density shall be based on 2,500 sq. ft. of lot area per each **cottage**. The maximum permitted building coverage shall be 35%.

509.6 Design Standards. The following design standards are intended to define design parameters to create a small community of cottages oriented around open space and to achieve compatibility with adjacent uses.

A. Individual Cottage Spaces. For each detached cottage, the site plan approved by the Planning Board shall delineate a building site for each detached cottage of no less than 1,500 sq. ft.

B. Detached Cottages. At least 50% of the **cottages** in the development shall be detached units.

C. Interior Setbacks. The minimum setback between units within a cottage development shall be 10 feet, measured from the nearest point of the exterior walls.

D. Common Open Space. A minimum of 400 square feet of common open space shall be provided per **cottage** and per cluster. The common open space area for each cluster shall be contiguous and shall abut all of the **cottages** in the cluster. **Cottages** shall be oriented around and have their main entry from the common open space.

E. Roofs and Porches.

1. The highest point of the roof of the **cottage** shall not exceed 24 feet.

2. **Cottages** shall have an unenclosed, covered front primary entry and porch of at least 60 square feet in size. The front porch shall be oriented toward a common open space. The intent of this porch requirement is to create outdoor space in each **cottage** that is visually and physically connected to the common open space and to other cottages.

F. Parking Location and Screening Requirements.

1. Parking areas and driveways shall comply with applicable minimum yard requirements for the underlying zone.

2. Parking areas shall be screened from public streets and adjacent residential uses by landscaping or architectural screening.

3. Parking areas shall be prohibited in the minimum required front yard.

4. Parking areas shall be separated from the common open space by landscaping or an architectural screen.

G. Existing Dwellings. An existing detached or attached one-family dwelling that is incorporated into a cottage development and is nonconforming with respect to the standards of this section shall be permitted to remain on a site used for a cottage development and shall be considered a **cottage** for purposes of this section. However, the extent of the noncompliance may not be increased except unless the proposed change is determined by the Planning Board to be consistent in character, scale and design with the cottage housing development.

H. Street Facing Facades. All **cottages** within 50 feet of a public street shall have street facing facades that avoid blank walls in order to avoid the appearance of “turning their backs” to the street. For all such **cottages**, a minimum of 25 percent of the street facing façade shall be comprised of windows and/or glass doors.

[...]

ARTICLE VI ADDITIONAL STANDARDS FOR SPECIFIC USES

[...]

SECTION 610 ACCESSORY DWELLING UNIT (ADU).

[...]

An **accessory dwelling unit** shall comply with the following criteria:

- A. An **ADU** is ~~only~~ allowed on any **lots** in any zoning district with a ~~detached one-family dwelling~~. For lots in any zoning district with a **two-family dwelling**, a detached or attached ADU is allowed. and only Only one such **ADU** is permitted per **lot**. The dwelling unit density requirements of the underlying zoning district shall not apply to ADUs.
- B. The appearance and character of the existing or proposed **ADU** shall remain single family in nature if converting a one-family dwelling to a one-family dwelling with an ADU, and shall remain two-family in nature if converting a two-family dwelling to a two-family dwelling with an ADU.
- C. The property owner must occupy ~~either the principal dwelling unit or the ADU~~ one of the dwelling units as their permanent residence. A temporary leave of absence by the property owner is allowed, provided the owner-occupied unit is not rented or occupied by anyone other than the property owner during the temporary leave or absence.

[...]

- D. The **ADU** must be located in the same **building** as the principal **dwelling unit(s)** unless the **lot** meets or exceeds the minimum required lot size for the respective zoning district.

[...]

- E. If the **ADU** is located within or by an addition to the existing principal building~~one-family dwelling~~, an interior door shall be provided between the ADU and the principal dwelling unit ~~and the ADU~~ or between the ADU and one of the principal dwelling units if the principal building is a two-family dwelling.

[...]

- G. Size of ADU.

1. Conversion of one-family dwelling. If the **gross living area** of the principal **dwelling unit** is 1,500 square feet or less, the **gross living area** of the **ADU** may be no greater than 50% of the **gross living area** of the principal **dwelling unit**. If the **gross living area** of the principal **dwelling unit** is greater than 1,500 square feet, but less than 3,000 square feet, the **gross living area** of the **ADU** shall not exceed 750 square feet. If the principal **dwelling unit** is greater than 3,000 square feet, the **gross living area** of the **ADU** can exceed 750 square feet provided the **ADU** is no greater than 25% of the **gross living area** of the principal **dwelling unit**.

2. Conversion of two-family dwelling. If the **gross living area** of the smaller of the two principal **dwelling units** is 1,500 square feet or less, the **gross living area** of the **ADU** may be no greater than 50% of the **gross living area** of the smaller of the two principal **dwelling units**. If the **gross living area** of the smaller of the two principal **dwelling units** is greater than 1,500 square feet, but less than 3,000 square feet, the **gross living area** of the **ADU** shall not exceed 750 square feet. If the smaller of the two principal **dwelling units** is greater than 3,000 square feet, the **gross living area** of the **ADU** can exceed 750 square feet provided the **ADU** is no greater than 25% of the **gross living area** of the smaller of the two principal **dwelling units**.

[...]

- J. In addition to the two (2) parking spaces required for ~~the principal residence~~ each principal dwelling unit, one (1) additional parking space for the **ADU** must be provided.

[...]

APPENDIX A DEFINITIONS

[...]

COTTAGE: A detached one-family dwelling unit with a maximum gross living area of one thousand, five hundred square feet (1,500 sq. ft.) and a maximum footprint of one thousand square feet (1,000 sq. ft.). Spaces with a ceiling height of six feet or less measured to the exterior

walls, such as in a second-floor area under the slope of the roof, shall be excluded when calculating the total floor area of a cottage. Cottages may also be attached horizontally in blocks of no more than three (3) units.

COTTAGE DEVELOPMENT: A development on a single lot having shared open space intended to serve *cottages* that interact together as a small community.

[...]

DWELLING: A *building* designed for and used primarily by one or more families for living quarters, but not including recreational vehicles (RVs), *manufactured homes*~~housing~~, trailers of any kind, *hotels*, *motels*, *group residences*, *lodging houses*, institutional homes, residential clubs, or other commercial accommodations offered for occupancy.

[...]

DWELLING UNIT: One or more rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, rental or lease, and physically separated from any other rooms or *dwelling units* which may be in the same structure, and containing independent cooking, sanitary and sleeping facilities. The term includes sectional homes and modular units but does not include *manufactured home*~~housing~~, *motel*, *hotel*, *lodging house* or similar structures.

[...]

MANUFACTURED HOME HOUSING PARK: Any tract of land on which two or more *manufactured homes*~~housing~~ units are parked and occupied for living purposes. A manufactured housing park may also include in whole or in part modular homes of any size up to 1,400 sq. ft. in size.

MANUFACTURED HOME HOUSING PURD: A Planned Unit Residential Development (PURD) for two or more *manufactured home*~~housing~~ units and consisting exclusively of *manufactured housing*~~subdivision~~ which meets all applicable requirements of Section 504. A manufactured housing PURD may also include in whole or in part modular homes of any size up to 1,400 sq. ft. in size.

~~**MANUFACTURED HOME SUBDIVISION:** A subdivision of land which allows individual ownership of lots on which can be located only a manufactured home.~~

MANUFACTURED HOUSING: This term shall have the meaning as set out in RSA 674:31, as may be amended.[...]

[...]

TRADITIONAL SUBDIVISION: Any subdivision of land which meets all applicable dimensional requirements of the zoning district in which it is located and is not approved as either a PUD per Section 501, ~~a manufactured home subdivision per Section 504,~~ or a *planned business park* per Section 508.

[...]

Item 3C:

2022_12_14 Ticknor Site Visit Notes (compiled by Sarah Riley)

Purpose: Walk the property to identify sensitive habitats on-site and discuss options for locating trails to avoid or minimize disturbance to those habitats.

Present:

Matt Tarr (M) - UNH Extension Professor & State Specialist in Wildlife Habitat

Jim Frohn (J) - Grafton County Extension Forester

Ernst Oidtmann, Barbara Hirai, & Sarah Riley, of the Lebanon Conservation Commission

Route taken: From the Dulac St parking area to the vernal pool; up the steep old path to Ticknor Rd; down the Al Merrill Trail to the cemetery; and finally, back up to Ticknor Rd and west to Slayton Hill Rd.

J&M approved of the trailhead along the raised berm at Dulac St parking area, but Matt said “this bridge is in the jurisdictional wetland (which we try to always avoid) and would have required a permit from NH Department of Environmental Services to be installed as it is.”

The recently cut trail up to the vernal pool from the bridge is going to be an erosion problem, in their opinions. It needs surface work, and is steep in sections. [SR comment: this will make it difficult or impossible for folks with limited mobility to access the vernal pool. The short walk along Dulac St is not a big deal. Parking is also available across the street from old access point.]

We talked a bit about concerns associated with locating trails adjacent to vernal pools. Matt thinks there are two primary concerns on this property:

- 1) If trail users bring their dogs, many dogs naturally want to play in water. Dogs playing in vernal pools can disrupt or damage amphibian egg masses. Since wildlife conservation is a priority on this property, I encourage the town to either require dogs be leashed and/or route trails far enough away from vernal pools to minimize the likelihood that dogs will be in the pools.

- 2) The second concern is soil eroding from steep trails ending up in vernal pools and other wetlands. Because many of the trails are on steep slopes and have areas of exposed soil, I encourage the town to follow best management practices to install and maintain water bars on existing trails and not create any additional trails in areas subject to erosion.

J&M noticed that the trail up the hill from the vernal pool is wet, crunching underfoot. Even if we abandon it, they recommend water bars to reduce likelihood of sediment washing into vernal pool and into other wetlands and the stream. Matt: “Ideally, trails should be established in areas where the soil is well-drained. That’s tough on this property because most of the hillside seems to be pretty wet. As a result, many of the trails seem like they have the potential to be quite muddy in the spring and probably following any heavy precipitation. This not only makes the trails difficult to walk but it increases the risk that soil on the trails will erode.”

They recommended no new trails. Stay out of the deer yards. Stay out of the wetlands. Matt: “Based on the conservation objectives for this property, I recommend that the town stabilize the existing trails as we’ve outlined above, and not create any additional trails to minimize soil impacts and potential disturbance impacts to wildlife. Because of the wet conditions, much of the property doesn’t seem especially conducive to trails that will receive a lot of foot traffic and the existing trails provide the opportunity to recreate at a level that’s probably most appropriate for this property.”

No property can be everything, and if this property is so wet, it might not be a good contender for so much recreational use. Matt: “Correct. I encourage the town to inventory all of their properties to evaluate the best potential uses for each property. There are probably other properties that are easier to access (e.g., have better parking) and are more conducive for providing opportunities to recreate (drier soils, more gradual slopes). Direct recreation to those properties.”

Winter trails might be something else. Matt: “Yes, the trails on the property are probably best for winter use when the ground is frozen. But again, I encourage the town to not construct new trails on this property because many areas likely serve as important winter habitat (including as deer wintering areas) and we don’t want to increase human disturbance in these habitats during winter.”

J&M repeatedly said we should do a management plan and figure out what we want from the property. If we do nothing re forest management, much might get overrun by buckthorn. Along the old path from the vernal pool to Ticknor Rd, they pointed out the balsam (*Populus balsamifera*) and bigtooth poplars (aka bigtooth aspen, *Populus grandidentata*) - clonal species that are root sprouters. A winter cutting could lead to massive spring sprouting, which would likely outgrow the buckthorn. This approach only works when the poplars are still growing vigorously, before these fast-growing, short-lived trees begin to decline.

Jim: "Dense aspen ("poplar") stands that regenerate from root sprouting are not only a potential deterrent to the spread of buckthorn, but also makes excellent early successional habitat for ruffed grouse and other birds." Matt: "On this property, those birds would include woodcock, ovenbird, and hermit thrush. Also barred owl & broad-winged hawk because these predators would be attracted to the prey species that would be attracted to the young aspen stand".

Jim: "Regeneration openings help diversify the age class structure of the forest, which is largely even-aged at this point."

We discussed larger openings, 0.5-1 acre. not small openings - small ones get taken over by buckthorn - not enough light for the shade intolerant poplars. Matt: "Yes. The areas you describe currently have buckthorn and I predict that overtime these areas will become dominated by an understory of buckthorn if there is no timber/habitat management conducted here. Perhaps the best option would be to make small patch cuts (at least 1 acre) that cut all of the mature aspen/poplar from the openings. This cutting will stimulate vigorous root-sprouting of the aspens which should be able to outcompete the buckthorn on this site. This management would allow the town to encourage a diversity of plant species here while also enhancing habitat diversity for wildlife. This work should first be outlined in a forest management plan written by a licensed forester and that same forester should plan and supervise the timber harvest for the town.

During that same timber harvest, I would prescribe smaller openings (single-tree openings and other openings <1 acre) in most of the remaining areas of the property to provide growing room for the healthiest trees and to further enhance and perpetuate a diversity of habitat conditions that this property is most capable of supporting. This would include some low-intensity timber harvesting in the hemlock stands to maintain overstory hemlock cover and encourage the next generation of hemlock cover. I am happy to work with the town and their forester to look more closely at the property and provide specific recommendations that the forester can incorporate into the management plan and timber harvesting prescriptions."

There are some very tall poplars in there - especially as we followed Ticknor Rd west to the boundary.

Ticknor road is functioning in places as a stream, especially east of the perennial stream crossing @ the massive washout. This means it is a waterbody and needs to be treated as such. Closer to Slayton Hill Rd, Ticknor Rd is also wet - again functioning as a stream. Suggested checking with DES re whether a road can be a stream and still continue to be a road. Matt: "Based on the current conditions I suggest this road should be abandoned for all vehicle uses (including mountain bikes)."

Wildlife signs: bobcat. bear. flying squirrel.

Both Matt and Jim encouraged us to reach out if we need any additional assistance on this or any other property. Here are their contact details:

Matthew D. Tarr, Ph.D.
Extension Professor & State Specialist, Wildlife Habitat
University of New Hampshire Cooperative Extension
131 Main Street
318 Nesmith Hall
Durham, NH 03824
matt.tarr@unh.edu
(603) 953-4425

Jim Frohn
Grafton County Extension Forester
3855 Dartmouth College Highway, Box 5
North Haverhill, NH 03774-4909
Office: 603-787-6944 Fax: 603-787-2009
www.nhwoods.org