



**LEBANON CITY COUNCIL
FEBRUARY 7, 2024 - 7:00 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

1. Call to Order

- A. To participate in this meeting, please [join live via Microsoft Teams](#) or call 929-229-5356 (access code: 553 291 537#). If you have trouble accessing this meeting, please [email Shaun Mulholland](#).

The February 7, 2024 Lebanon City Council Meeting is hereby called to order.

2. Pledge of Allegiance

3. Public Forum Announcement by the Mayor

Any member of the public who desires to speak on any item may do so when the item is taken up by the Council and will be allowed to speak on the subject for not more than three minutes. **(Note: Speakers are asked to state their name, ward of residence, and to use the microphone provided.)**

4. Open to the Public

5. Recognitions: None

6. Approval of Minutes

- A. MOTION TO approve the minutes as presented in the February 7, 2024 agenda packet.

7. Appointments

- A.
- Arts & Culture Commission, Benjamin Van Vliet (Reappointment Arts Organization Representative)
 - Lebanon Energy Advisory Committee, Thomas Benzel (Regular Member)
 - Planning Board, Laurel Stavis (Reappointment Regular Member)

8. Public Hearing Items

- A. Ordinance #2024-01 – A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 168, Vehicles and Traffic, to designate no parking areas along Eldridge Street, Laplante Road, and Prospect Street Extension, Lebanon.
- i. Presentation:
 - ii. Opening of the Public Hearing:
 - iii. Questions & Comments by the Public:

- iv. Closing of the Public Hearing:
 - v. Council Deliberation & Action:
 - B. Ordinance #2024-02 - A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 68, Fees, to include a fee schedule for applications to the Zoning Board of Adjustment and Building Code Board of Appeals, and administrative preparation of Zoning Verification Letters.
 - i. Presentation:
 - ii. Opening of the Public Hearing:
 - iii. Questions & Comments by the Public:
 - iv. Closing of the Public Hearing:
 - v. Council Deliberation & Action:
 - C. Proposed Amendments to the Zoning Ordinance for Council Adoption – Public hearing for the purpose of receiving public input and taking action on proposed zoning amendments for adoption by the City Council as follows:
 - Amendment #1 – To amend Section 213 (Impact Fees) to collect fees from residential additions larger than 500 sq. ft., to expand and clarify the type of development that is excluded from paying fees, and to amend the waiver and appeals provisions (Zoning Ordinance Sections 213.3(E) and 213.8)
 - Amendment #2 – To amend Section 305A.1 (GC-1 District Purpose), Section 305A.2 (GC-1 District Table of Uses) and Section 500 (Planned Developments Table) to allow Manufactured Housing Planned Unit Residential Development (PURDs) in the GC-1 District by Condition Use Permit from the Planning Board. (Zoning Ordinance Sections 305A.1, 305A.2, and 500)
 - Amendment #3 – To amend Section 410.3 (Description of Riverbank Protection District) to remove properties from the Riverbank Protection District if the properties are granted an Urbanized Shoreland Exemption by the NH Department of Environmental Services pursuant to NH RSA 483-B:12. (Zoning Ordinance Section 410.3)
 - Amendment #4 – To amend Section 610 (Accessory Dwelling Unit (ADU)) to update the size ratios for ADU calculations, to add a parcel size threshold for larger ADUs, to clarify the property owner temporary leave of absence requirement, and to create a clear checklist of items needed for the ADU application. (Zoning Ordinance Sections 610.B, 610.G, and 610.K)
 - Amendment #5 – To amend the definition of “Gross Living Area” in Appendix A (Definitions) to clarify the calculation of impact fees and the size of Accessory Dwelling Units.
 - Amendment #6 – To adopt miscellaneous minor amendments, including clarifying existing language and making minor editorial changes, clarifying the enabling authority for the Riverbank

Protection District, commercial and industrial PUD open space requirements, off-lot parking conditional use application requirements, ZBA administrative appeal procedures and definitions, ZBA application and hearing procedures, and changes to the definitions of “dwelling”, “primary/secondary educational facility”, “child day care facility”, “health club,” and “structure”. (Zoning Ordinance Sections 213, 410.2, 501.1.F.2.a, 607.5, 610, 801, 802, and Appendix A)

- Amendment #7 (Requested by Choice Storage, LLC) – Proposed Zoning Map change at 0 Etna Road (Tax Map 26, Lot 17), which is currently split-zoned between Light Industrial (IND-L) and Rural Lands Three (RL-3). The property owner has requested to rezone approximately 50 acres of RL-3 land to IND-L and, in exchange, to rezone approximately 50 acres of IND-L land to RL-3 to provide more protection for wetland areas, steep slopes, and a wildlife corridor existing in areas to be rezoned to RL-3, while allowing for development of the areas to be rezoned to IND-L.
- Amendment #8 (Requested by Cicotte Properties, LLC) – To amend Section 311A.2 (R-O-1 District Table of Uses) to allow one of the following uses in the R-O-1 District by Conditional Use Permit from the Planning Board: either “auto sales and service” or “vehicular sales”. (Zoning Ordinance Sections 311A.2)

- i. Presentation:
- ii. Opening of the Public Hearing:
- iii. Questions & Comments by the Public:
- iv. Closing of the Public Hearing:
- v. Council Deliberation & Action:

- D. Ordinance #2024-03 - A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 46, Cemeteries, to remove provisions for holiday burials.

- i. Presentation:
- ii. Opening of the Public Hearing:
- iii. Questions & Comments by the Public:
- iv. Closing of the Public Hearing:
- v. Council Deliberation & Action:

9. Old Business

- A. Discuss the City Manager’s proposal for development of city-owned parcels pursuant to City Council’s April 2022 Resolution on Housing – Request for determination that city-owned properties have redevelopment potential per City Council Policy, CC-102, Real Property Transactions
- B. Discuss Potential TIF District for the Main Street Area of West Lebanon
- C. Discuss possible NHMA Policy Positions for the 2024 NHMA Legislative Policy process

10. New Business

- A. Discuss changes to the City's Strategic Plan regarding the Financial Stability and Efficiency functional area
 - B. Discussion and Set Public Hearing for March 6, 2024: Request for Supplemental Appropriation in the amount of \$268,000 for Civic Park Playground Improvements; and to Authorize Disbursement of \$135,000 in Recreation Impact Fees
 - C. Discussion and Set Public Hearing for March 20, 2024: Layout of right-of-way widening for Trues Brook Road; Scheduling of on-site public meeting for personal examination of proposed roadway
 - D. Request for Exemption of Zoning Requirements per Section 214 of the Zoning Ordinance for City of Lebanon to Construct Public Infrastructure Improvements for the Trues Brook Road Bridge Reconstruction Project
 - E. Request for Exemption of Zoning Requirements per Section 214 of the Zoning Ordinance for City of Lebanon to Construct Public Infrastructure Improvements for the Lahaye Drive/Mt. Support Road Intersection Project
 - F. Request for Exemption of Zoning Requirements per Section 214 of the Zoning Ordinance for City of Lebanon to construct Lahaye Drive Multi-Use Path TAP Project
 - G. Discussion and Set Public Hearing for February 21, 2024: Establishment of a Redevelopment Properties Revolving Fund to include 0 Barrows Street (M/L 77-106 and 77-107), 0 Hanover St Ext (M/L 64-1), 3 Seminary Hill (M/L 86-56), and 5 S. Main St (M/L 86-55); Authorization to Transfer InvestNH grant funds into the Revolving Fund upon receipt
 - H. Discuss the City Manager's plan to Begin the Process of Determining the Development Options for Downtown Parking Lots
- 11. City Manager Report**
- 12. Council Representatives to Other Bodies Report**
- 13. Future Agenda Items**
- 14. Non-Public Session**
- A. RSA 91-A:3, II(a) – “The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her...”
 - B. RSA 91-A:3, II(a) – “The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her...”
- 15. Adjournment**

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.

Future Board/Committee/Commission Appointments - No pending appointments at this time.

Lebanon City Council Agenda
February 7, 2024

Proposed Future Agenda Items: Dates may be tentative and this list is not considered all-inclusive.

February 21, 2024

Public Hearing Items:

A. Establishment of a Redevelopment Properties Revolving Fund to include 0 Barrows Street (M/L 77-106 and 77-107), 0 Hanover St Ext (M/L 64-1), 3 Seminary Hill (M/L 86-56), and 5 S. Main St (M/L 86-55); Authorization to Transfer InvestNH grant funds into the Revolving Fund upon receipt

New Business:

A. Release of Public School Impact Fees (4th Quarter 2023)

B. Presentation of 2023-2024 Lebanon Historic Landmark Designations

C. Request for Authorization to Transfer Appropriated Funds in the Amount of \$125,000.00 from the General Fund to the Public Assistance Revolving Fund

March 6, 2024

Public Hearing Items:

A. Supplemental Appropriation For Civic Park Playground Improvements: Public hearing for the purpose of receiving public input and taking action to appropriate \$268,000.00 for Civic Park Playground Improvements; and to authorize disbursement of \$135,000.00 in Recreation Impact Fees as the means to pay for the work.

Old Business:

A. Discuss and issue directives regarding the determination of the feasibility of a Tax Increment Finance District in West Lebanon.

New Business:

A. Discuss and set public hearing to adopt City Code Chapter 55 Trees.