

FINAL

**LEBANON ZONING BOARD OF ADJUSTMENT
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE
MONDAY, November 6, 2023
7:00 PM**

MEMBERS PRESENT: Vice Chair Jeremy Katz, Dave Newlove, Paul McDonough, Jennifer Barkley

MEMBERS ABSENT: Chair William Koppenheffer

STAFF PRESENT: Nathan Reichert – Zoning Administrator

1. CALL TO ORDER

Vice Chair Katz called the meeting to order at 7:02 PM.

2. APPROVAL OF MINUTES

A. October 2, 2023

Mr. Newlove MOVED to approve the October 2, 2023, Minutes as presented in the November 6, 2023 packet.

Seconded by Ms. Barkley.

**The Vote on the Motion was (3-0-1).*

Mr. McDonough abstained.

3. PUBLIC HEARING ITEMS

- A. AAM Lebanon Residences, LLC, 25 Foothill Street (Tax Map 24 Lot 14, Plot 100), zoned IND-L:** The subject property is located within the Altaria Planned Unit Development (PUD) and is currently improved with a hotel which the applicant proposes to convert to a 120-unit multi-family dwelling. Per Section 501.4.D of the Zoning Ordinance, the Altaria PUD may include a maximum of 34 dwelling units, 33 of which have been constructed at 18 Merchant Street. To allow the proposed change of use at 25 Foothill Street, the applicant requests a Variance from Section 501.4.D of to allow 119 additional dwelling units, whereas only one (1) additional dwelling unit is allowed pursuant to the permitted residential density for the Altaria PUD.
ZB2023-16-VAR - Continued From 10/2/2023 Meeting - Applicant Requests Continuance to 12/4/23 Meeting

Mr. Newlove MOVED to continue the hearing to December 4, 2023.

Seconded by Ms. Barkley.

**The Vote on the Motion was (4-0).*

4. OTHER BUSINESS

A. 2024 Meeting Calendar Review

The new calendar was shared. There is a recommendation to change a few meeting dates due to holidays and elections. Staff recommends changing the cutoff date to put a hearing on an agenda. There are two instances when the cutoff could get in the way, a motion for a rehearing and an appeal of an administrative decision. Those instances are rare, but Staff is comfortable with those implications.

Ms. Barkley MOVED to accept the proposed meeting dates with cutoff dates as presented this evening.

Seconded by Mr. Newlove.

****The Vote on the Motion was (4-0).***

The order of the meeting was changed.

B. Edwards Properties LLC Rezoning Request

Barry Schuster spoke about the suggested 4th amendment. This concerns the text of the ordinance, suggesting some additional uses within the zone. By conditional use the permitted uses would be expanded. He believes the text would be understandable if the series of uses by special exception or conditional use were added. If they were added, the Board feels they would easily understand the text.

C. Zoning Amendments Review

The Board discussed the zoning amendments. The point is to opine on the clarity of the amendments and ability to follow the zoning rules. But this is open for some discussion this evening. In the end there will be a full public hearing that will be held by the City Council. Mr. Reichert reviewed the presentation that was given to the City Council.

The amendment regarding Impact Fees corrects a loophole regarding additions that are more or less than 500 square feet. There is an amendment regarding PURDs in the GC-1 district, as requested by DHMC. There is an amendment regarding the urban riverbank protection district, specifically the downtown area that is already built out. One amendment pertains to the size of Accessory Dwelling Units. The ratios between primary use and secondary use are not adequate in the current ordinance. There are several miscellaneous amendments. A new Zoning Map Amendment is proposed.

No one from the Public had any comments. The Board believes if these changes are made, the members will be able to interpret them.

5. STAFF COMMENTS

6. ADJOURNMENT

Mr. Newlove MOVED to adjourn the meeting at 7:40 PM.

Seconded by Ms. Barkley.

****The Vote on the Motion was approved (4-0).***

Respectfully submitted,
Linda Billings, Recording Secretary