

FINAL

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, January 17, 2024 6:00 p.m.
Council Chambers**

Remote Via Microsoft Teams: LebanonNH.gov/Live

MEMBERS PRESENT: Mayor Tim McNamara, Assistant Mayor Clifton Below, Erling Heistad, Christian Simon, George Sykes, Douglas Whittlesey, Devin Wilkie (remote), and Karen Zook (arrived at approximately 6:57PM)

MEMBERS ABSENT: Karen Liot Hill

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager David Brooks, Deputy Director of Planning & Development Tim Corwin, Finance Director Vicki Lee, Deputy Finance Director Alesia Williams, City Assessor Michael Pelletier, Planning Administrative Assistant Crystal Taplin

1. CALL TO ORDER: Mayor McNamara called the meeting to order at 6:05 p.m.

2. PLEDGE OF ALLEGIANCE: Councilor Simon led the Council in the Pledge.

- City Manager Shaun Mulholland announced the meeting criteria for the public.
- Councilor Wilkie attended remotely because he was recovering from COVID.

3. BOARDS and COMMITTEE REPORTS (4th Quarter):

Ped/Bike: Colin Smith, Chair

Chair Smith updated the Council on the work Ped/Bike has done over this quarter:

- Moving into the implementation phase of the Walk Bike Ride Lebanon Plan
- Tier 1 Projects: out of 10 projects, they chose 3: 1) Greenway extension to 12A; 2) Greenway Trail along the Riverside and Westboro Yard, and 3) the proposed DHMC connector.
- Will be looking at the other plan for the Walk Bike Ride Lebanon Plan for infrastructure.
- Event Planning: Bike and Walk to Work Day.

Conservation Commission: Sarah Riley, Chair

Chair Riley updated the Council on the work the Conservation Commission has done over this quarter:

- Reviewed and commented to the NH DES on the wetland permit application for the LaHaye & Mt. Support Road Roundabout Project.
- Update on the Wilder Dam Project.
- Participated in the Ethics Training Program.
- Discussed the Zoning Amendments and spent a considerable amount of time discussing the Map Amendment for Etna Road; changes to the City's Riverbank Protection District.
- Will be participating in the Upper Valley-wide Forest Health Program.

LEAC & LEAC EV Subcommittee: Henry Bromberg, Chair

Chair Bromberg updated the Council on the work that LEAC and the LEAC EV Subcommittee has done over this quarter:

- Introduced himself as the new Chair, and also noted the new members of LEAC.
- Community Power Coalition of New Hampshire
- Wastewater Energy Transfer Technology: Fire Station and DPW Garage
- EV Subcommittee: The CFI Grant (building public EV Charging Stations) was not successful, but they will be re-applying for these funds.
- Lebanon EV School Bus Grant: Deadline to apply is the end of January 2024 and they have not heard back from the School District yet. Mayor McNamara noted they will be having a joint meeting with the School Board in the next week and will bring this topic up at their meeting.
- Climate Pollution Reduction Grant through the NH DES.
- Working with the City to explore other grant opportunities to develop renewable energy and reduce fossil fuel use.

Diversity/Equity/Inclusion Board: City Manager Mulholland

- Report was filed in advance of this meeting.

Tree Advisory Board: City Manager Mulholland

- Working on a grant they have received and are starting to get ready and organized for this.
- Will be bringing Code 55 provisions before the Council in the month of March

Heritage Commission: Nicole Ford Burley, Chair

Chair Ford Burley updated the Council on the work the Heritage Commission has done over this past quarter.

- Lebanon Fire Station Replacement work done with Chief Wheatley: preserving connections with the history of this site
- Culture Heritage Emergency Preservation Project: Preparing a list of resources and will be working with Lebanon's Emergency Responders to develop updated plans to ensure First Responders are familiar with the resource/contents in order to follow a well thought out prioritization scheme outside of an emergency scenario.
- Lebanon's indigenous history video.
- Opera House Project application was approved.
- Resolution honoring Fran Hanchett, former City Historian, and dedicated member of Lebanon's Historic Community.
- Dana House Tour/Restoration/Preservation Project.
- Colburn Park Historical District: Will be hiring a consultant in 2024 to expand this District to include structures and buildings that are now eligible for inclusion but were not eligible when the Historic District was created in 1986.

4. PUBLIC FORUM: Mayor McNamara made the Public Forum announcement.

5. OPEN TO PUBLIC: NO ONE CAME FORTH.

6. RECOGNITIONS: NONE

7. ACCEPTANCE OF MINUTES: January 3, 2024 (Regular Meeting)

Councilor Heistad MOVED to approve the January 3, 2024 minutes as written and presented in the January 17, 2024 City Council agenda packet.
Seconded by Councilor Whittlesey.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, , Simon, Sykes, Whittlesey, Wilkie, and Mayor McNamara all voting Yea.

None voted Nay.

Absent from vote: Councilors Liot Hill and Karen Zook

***The Vote on the Motion was approved (7-0)**

8. APPOINTMENTS:

- Conservation Commission, Brandon Hill (Alternate Member)

Assistant Mayor Below MOVED to NOMINATE Brandon Hill and an Alternate Member to the Conservation Commission.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, , Simon, Sykes, Whittlesey, Wilkie, and Mayor McNamara all voting Yea.

None voted Nay.

Absent from vote: Councilors Liot Hill and Karen Zook

***The Vote on the Motion was approved (7-0)**

9. PUBLIC HEARING ITEMS:

- A. Ordinance #2024-01 to amend City Code Chapter 168, Vehicles and Traffic, to designate no parking areas along Eldridge Street, Laplante Road, and Prospect Street Extension, Lebanon**

Included in the agenda packet: *(All supportive documents and information were included on Page 34 , Council agenda packet)*

ACTION: MOTION to reschedule Public Hearing to February 7, 2024

Councilor Whittlesey MOVED, that the Lebanon City Council hereby reschedules a public hearing for Wednesday, February 7, 2024, beginning at 7:00 p.m. in Council Chambers, City Hall, and Remote via the City's Virtual Platform, for the purpose of receiving public input and taking action on proposed Ordinance #2024-01 to amend City Code Chapter 168, Vehicles and Traffic, §168-1, No Parking, to include a 520-foot section on both the north and south sides of Prospect Street Extension beginning at the intersection of Laplante Road and moving in a westerly direction and to include a 230-foot section on both the east and west sides of Laplante Road beginning at the intersection of Prospect Street Extension and moving in a northerly direction, for a winter parking ban from December 1st to April 1st of every year; to include a 340-foot section on the south side of Eldridge Street beginning at the intersection of Hanover Street and moving in a westerly direction; and to extend the existing no parking restriction on the north side of Eldridge Street by 5 feet to a distance of 340 feet westerly from the intersection of Hanover Street, as "No Parking" zones.

Seconded by Councilor Sykes.

Councilor Zook arrived at approximately 6:57 PM.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, , Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

Absent from vote: Councilor Liot Hill

****The Vote on the Motion was approved (8-0)***

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. **(To be postponed to February 7, 2024)**

Included in the agenda packet: ***(All supportive documents and information can be found on Page 35, Council agenda packet)***

BACKGROUND

The City Council scheduled this public hearing at its January 3, 2024 regular meeting. However, due to a defect in the public hearing notice, the Administration requests that the public hearing be rescheduled to February 7, 2024.

ACTION: MOTION to reschedule Public Hearing to February 7, 2024.

Councilor Sykes MOVED that the Lebanon City Council hereby reschedules a public hearing for Wednesday, February 7, 2024, beginning at 7:00 pm, in Council Chambers, City Hall, and Remote via the City's Virtual Platform, for the purpose of receiving public input and taking action on proposed Ordinance #2024-02 to amend City Code Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, to enumerate, update, and establish filing fees for applications to the Zoning Board of Adjustment and the Building Code Board of Appeals, and to establish the administrative fee for the preparation of zoning verification letters.
Seconded by Councilor Whittlesey.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, , Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

Absent from vote: Councilor Liot Hill

****The Vote on the Motion was approved (8-0).***

C. Amendment of Veterans Tax Credit amounts and Adoption of additional Veterans Tax Credit Programs – A public hearing for the purpose of receiving public input and taking action to change the amount of the Optional Veterans' Tax Credit from \$250 to \$750 in accordance with NH RSA 72:28; to change the amount of the All Veterans' Tax Credit from \$250 to \$750 in accordance with NH RSA 72:28-b; and to change the amount of the Service-Connected Total

Disability Tax Credit from \$1,400 to \$4,000 in accordance with NH RSA 72:35; and to consider adoption of the Combat Service Tax Credit in the amount of \$500 in accordance with NH RSA 72:28-c, and to consider adoption of the Surviving Spouse Tax Credit in the amount of \$2,000 in accordance with NH RSA 72:29-a.

Included in the agenda packet: *(All supportive documents and information can be found on Pages 36-44, Council agenda packet)*

1. Finance Department table of Veteran's Tax Credits granted for 2023
2. NH RSA 72:27-a; RSA 72:28; RSA 72:28-b; RSA 72:28-c; RSA 72:29-a; RSA 72:35

Mayor McNamara, Councilor Heistad, and City Manager Mulholland recused themselves from this discussion and vote because they are veterans and will/or have applied for a Veteran's Tax Credit.

It was noted that even though people have recused themselves there is still a physical quorum present and the recused persons sat in the audience.

Assistant Mayor Below took over the role of moderator for this topic.

Deputy City Manager David Brooks reviewed the background behind the proposed amendments to the Veterans' Tax Credits.

BACKGROUND

The Optional Veterans' Tax Credit, the All Veterans' Tax Credit, and the Service-Connected Total Disability Tax Credit are programs made available by the City for Lebanon's veterans and/or their spouses. The tax credit reduces the total property taxes owed on the veteran's residential property by the amount of the credit. Veterans and/or their spouses may qualify for either the Optional Veterans' Tax Credit or the All Veterans' Tax Credit but cannot receive both.

The Optional Veterans' Tax Credit and the All Veterans' Tax Credit were re-adopted in the amount of \$250 each by the City Council on January 4, 2023 following statutory changes in the eligibility criteria for those programs. The Veteran's Service-Connected Total Disability Tax Credit was last increased to \$1,400 for eligible veterans or their surviving spouses on September 15, 1993.

The Finance Department and Assessing Division have prepared the table below showing the number of individuals or households who applied and qualified for the various Veteran's Tax Credit programs offered by the City and the corresponding amount of those tax credits granted for 2023. The table also shows the estimated value of tax credits if the individual program amounts were raised to the maximum amounts allowed by statute.

There are two additional Tax Credit Programs that have not currently been adopted by the City. The discussion and the motion to set tonight's public hearing included consideration of adopting those programs, so the motion that was made to set the Public Hearing includes the additional Tax Credits. In each case, the amounts proposed are the maximum amounts allowed by Statute.

Current											
Veterans' Standard/ Optional Tax Credit \$50 Up to \$750		All Veterans' Tax Credit \$50 Up to \$750		Combat Service Tax Credit \$50 Up to \$500		Surviving Spouse Tax Credit \$700 Up to \$2,000		Tax Credit for Service-Connected Total Disability \$700 Up to \$4,000		Veterans' Tax Credits Summary	
RSA 72:28		RSA 72:28-b		RSA 72:28-c		RSA 72:29-a		RSA 72:35			
Number of Tax Credits Granted 2023	Tax Credit \$250	Number of Tax Credits Granted 2023	Tax Credit \$250	Number of Tax Credits Granted 2023	Tax Credit (not adopted)	Number of Tax Credits Granted 2023	Tax Credit (not adopted)	Number of Tax Credits Granted 2023	Tax Credit \$1,400	Total Number of Tax Credits Granted 2023	Total Amount
279	\$69,750	11	\$2,750	0	\$0	0	\$0	23	\$32,200	313	\$104,700
With increases											
	\$750		\$750		\$500		\$2,000		\$4,000		
	\$209,250		\$8,250		0		0		\$92,000		\$309,500
											-\$204,800
				Increase in tax rate would be \$.07							
				for 2023 would increase from 4.01% to 4.87%							

Assistant Mayor Below opened the Public Hearing. Hearing no comments from the public, the Public Hearing was closed.

Council Discussions:

In response to Councilor Simon's request, Mr. Michael Pelletier (City Assessor) explained how veterans could apply for these Tax Credits:

- **Standard Veteran's Credit:** For those individuals who have served during wartime and have been honorably discharged. They would need to provide their current DT2-14 or any DT2-14 that they currently have and file a PA29 prior to April 15th of the given tax year.
- **All Veterans' Tax Credit:** For those individuals who have served in the military for 90 days after duty, served honorably, and did not serve during wartime.
- **Combat Service Tax Credit:** For those individuals (i.e., Armed Forces such as the National Guard, Army Reservists) who are deployed into active duty. During their time in active duty, if they are considered to be (by Department of Defense) in an active combat zone, then they can apply for this Tax Credit "during the duration that they are engaged in that Combat Zone".
- **Surviving Spouse Tax Credit:** For individuals who have lost their spouse during military service. It does not need to be during a combat scenario.
- **Service Connected Total Disability Tax Credit:** For these individuals, they would have to be honorably discharged, would need have to have a letter from the VA (Veteran's Administration) stating they are either receiving either 100% disability or they are up to 100% disabled. There are differences due to the levels of disabilities. (i.e., if you qualified for a Standard Veteran's Tax Credit and are disabled, you would qualify for both credits. If you qualified for the All Veteran's Tax Credit, you cannot qualify for both – it is one or the other).

All of the above require individuals to file PS29s. If your property is in a Trust, you have to accompany that application with a PA33, which tells them you are still the beneficiary of the Trust. All applications are due by April 15th of the given tax year.

Assistant Mayor Below noted he has the utmost respect for Veterans and spoke about his life as a military dependent. That being said, he felt that going from what we are giving today to the proposed maximum credit allowed would result in a significant shift in the tax burden and would result in a projected increase in the tax rate for this year from 4% to nearly 4.9%. He suggested going halfway (to the maximum) this year and then we can consider going to the maximum next year and further described his financial approach.

Council members first wanted to note their respect and admiration towards all Veterans and then held discussions/debates regarding:

- Whether or not all Veterans who are eligible have applied for these tax credits, and if not, what would be the impact on the City.
- How there is no database in the City that can determine which Veterans are moving into/or currently in the area and who is/is not eligible.
- How the State of New Hampshire does project Veterans in each County (not done by individual communities).
- The importance of the Council being aware of and mindful of the tax impacts on all taxpayers.
- How this would be the biggest project tax rate increase the City has seen in a while.
- How the potential tax increase for median household would only be approximately \$28.00/year.

ACTION:

Councilor Sykes MOVED, that the Lebanon City Council hereby amends the Optional Veterans' Tax Credit amount from \$250.00 to \$750.00 in accordance with NH RSA 72:28; amends the All Veterans' Tax Credit amount from \$250.00 to \$750.00 in accordance with NH RSA 72:28- b; and amends the Veteran's Service-Connected Total Disability Tax Credit amount from \$1,400.00 to \$4,000.00 in accordance with NH RSA 72:35.

BE IT FURTHER MOVED, that the Lebanon City Council hereby adopts the Combat Service Tax Credit in the amount of \$500.00 in accordance with NH RSA 72:28-c and adopts of the Surviving Spouse Tax Credit in the amount of \$2,000.00 in accordance with NH RSA 72:29-a.

Seconded by Councilor Whittlesey.

Roll Call Vote:

Assistant Mayor Below, and Councilors Simon, Sykes, Whittlesey, Wilkie, and Zook all voting Yea. None voted Nay.

Recused from discussions and Vote: Mayor McNamara and Councilor Heistad.

Recused from discussions: City Manager Mulholland

Absent from vote: Councilor Liot Hill

****The Vote on the Motion was approved (6-0-2).***

Mayor McNamara, Assistant Mayor Below, Councilor Heistad, and City Manager Mulholland returned to their regular roles for this meeting.

At the prompt of Deputy City Manager David Brooks, the Council returned to take action and vote on the motions that are to be rescheduled to February 7, 2024. Those three separate motions are listed on pages 27; page 8; and page 38. The action on these motions are listed on pages 3; 4; and 8 in these minutes.

D. 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 **(To be postponed to February 7, 2024)**

BACKGROUND

The City Council scheduled this public hearing at its January 3, 2024 regular meeting. However, due to a defect in the public hearing notice, the Administration requests that the public hearing be **rescheduled** to February 7, 2024.

ACTION: MOTION to reschedule Public Hearing to February 7, 2024

*Councilor Simon MOVED, that the Lebanon City Council hereby reschedules a public hearing for Wednesday, February 7, 2024, beginning at 7:00pm, in Council Chambers, City Hall, and Remote via the City’s Virtual Platform, for the purpose of receiving public input and taking action to adopt certain amendments to the City of Lebanon Zoning Ordinance and Zoning Map.
Seconded by Councilor Whittlesey.*

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, , Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

Absent from vote: Councilor Liot Hill

**The Vote on the Motion was approved (8-0)*

10. OLD BUSINESS: NONE

11. NEW BUSINESS

A. Request for Zoning Amendments: Cicotte Properties, LLC – Text Amendment for Light Industrial (IND-L) District

Included in the agenda packet: *(All supportive documents and information can be found on Pages 46-58, Council agenda packet)*

1. September 28, 2023 rezoning request letter from Dan Nash, of Advanced Geomatics, on behalf of Cicotte Properties, LLC, including attachments.

2. January 2, 2024 letter from Dan Nash, of Advanced Geomatics and Design, on behalf of Cicotte Properties, LLC, including attachment.

Deputy City Manager David Brooks reviewed the detailed background for the request above as listed on *pages 46-48, Council agenda packet.*

RECOMMENDATIONS:

Staff recommended the City Council consider postponing the applicant’s request in light of a pending land use study of the Route 120 corridor. Pursuant to the recommendations of the Master Plan (as described

above), the City has contracted with VHB to prepare a neighborhood plan for the Route 120 corridor extending from Exit 18 to the Hanover line. A project “kick off” meeting was held with staff on January 3, 2024. The study will identify existing land uses and projected development demands along the corridor and will likely result in proposed amendments to the Zoning Ordinance to accommodate desired growth and uses. To add “vehicular sales” at this time on an ad-hoc basis is premature given the pending neighborhood master planning effort, the results of which are expected in the late spring/summer with zoning amendments to be presented to the City Council for “kick off” in October.

Mr. Barry Schuster (Ward-3) came forth on behalf of Cicotte Properties, LLC and also reviewed and explained their request to add in the IND-L a category under Additional Uses for a Conditional Use Permit to allow Automotive Sales and Services, noting all they are trying to do is put some ability for a car dealership to maintain its use without having to get a Special Variance. A Conditional Use Permit will allow a Planning Board Review of anything that happens there, so it cannot go uninspected.

The City Council elected to proceed and take action on the Cicotte Amendment #2. The Planning and Development Department also recommended that the Council establish a tentative schedule for review, as is required pursuant to Section 1000.3.A of the Zoning Ordinance. The schedule is listed in the Motion below.

ACTION:

Assistant Mayor Below MOVED, that the Lebanon City Council, in accordance with the City of Lebanon Zoning Ordinance, Article X, Section 1000.3, Amendment Procedures, hereby submits the Zoning Ordinance amendment to add “Vehicular sales” to the Light Industrial (IND-L) District Table of Uses as a use allowed by Conditional Use Permit as described in a January 2, 2024 letter from Daniel Nash of Advanced Geomatics & Design to the Planning Board, Conservation Commission, and Zoning Board of Adjustment for their review and comment. The City Council hereby sets the following tentative review schedule:

City Council’s decision to proceed – January 17, 2024

Legal Review – by February 1, 2024

Planning Board – February 26, 2024

Zoning Board of Adjustment March 4, 2024

Conservation Commission – March 14, 2024

City Council Work Session – March 20, 2024

City Council Public Hearing – April 3, 2024

Seconded by Councilor Whittlesey.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, , Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

Absent from vote: Councilor Liot Hill

****The Vote on the Motion was approved (8-0)***

B. Proposed River Valley Reliability Project Presentation by National Grid

Included in the agenda packet: *(All supportive documents and information can be found on Pages 59-63, Council agenda packet)*

1. River Valley Reliability Project Fact Sheet
2. River Valley Reliability Project Introduction Letter dated November 16, 2023

BACKGROUND

National Grid employees were in attendance and presented the proposed [River Valley Reliability Project](#) as listed on the link above.

Ms. Kaytlynn Monroe, Ms. Bethany Rocha and the National Grid Project Team introduced themselves and reviewed their proposed project with the Council and answered their questions. Highlights from their PowerPoint presentation are presented below:



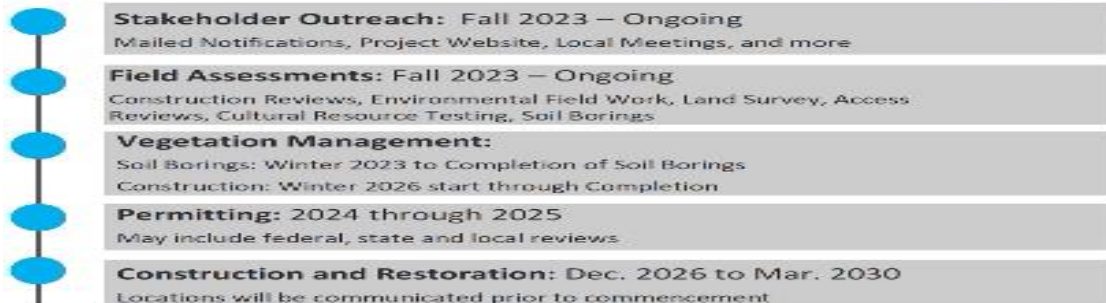
Project in Lebanon

River Valley Reliability Project

- Replace 91 existing structures
- 7.9 total miles
- Approximately 7 miles will be offset approximately 40ft to the west
- Approximately 1 mile of structures will remain on existing alignment
- Existing maintained right-of-way widths are 100ft to 125ft
- Proposed maintained right-of-way widths will be approximately 155ft, **all within existing easements.**

Preliminary Project Schedule

**Dates subject to change*



Permitting Process

Environmental Permitting (not all inclusive):

USACE Section 404 PCN

- S106 Consultation
- S7 Consultation

EPA NPDES CGP Coverage

NH DES Permitting:

- Standard Wetlands Permit
- NHB/NH F&G coordination
- NHDHR coordination
- Shoreland Permit
- Alteration of Terrain Permit

There will be opportunity for input from the town. National Grid will work collaboratively with each town throughout the required permitting and construction phases of this project.

Thank You

We understand that communities deserve comprehensive conversations and two-way communication about our work. Through local presentations, town-based community meetings, one-on-one discussions, mailings, a comprehensive website, toll-free hotline number, and other methods we will provide timely, comprehensive information to individuals and groups interested in the project. Above all, our team is committed to ongoing, open conversations about the project every step of the way.

For more information, please visit or reach our outreach team at:

Dedicated Project Hotline: 833-874-6988

Email: outreach@rivervalleyreliabilityproject.com

Website: www.rivervalleyreliabilityproject.com

ACTION: *No action is required by Council; item was for informational purposes only.*

- C. Request from Salt hill Pub for an Exemption (per §14-5) of City Code Chapter 14, Alcoholic Beverages, to permit the serving of alcoholic beverages on City property

Included in the agenda packet: *(All supportive documents and information can be found on Pages 64--66, Council agenda packet)*

1. January 1, 2024 Letter from Josh Tuohy, Salt hill Pub
2. Location Map of Outdoor Seating Areas for Three Tomatoes Trattoria and Salt hill Pub

BACKGROUND

Beginning in 2020, the City Council approved an expanded outdoor seating area for Salt hill Pub that included additional space within the pedestrian mall, as well as the parking area on West Park Street in front of Salt hill Pub and the 20 West Park Street building. Salt hill Pub requested renewal of their exemption to include those expanded seating areas approved since 2020.

City Administration has no objection to the closure of the parking area for use by Salt hill Pub as has been done since 2020.

City Code Chapter 14, Alcoholic Beverages, §14-5, Exemption, states that, “Any person, publicly recognized organization, organized group, family group or business may be exempted from the provisions of this article for a short period of time not exceeding 12 hours, upon first obtaining permission from the City Manager after consultation with and approval by the Chief of Police. For a period of time exceeding 12 hours but not exceeding one year, permission must first be obtained from the Lebanon City Council and reviewed on an annual basis.” Whereas the current request is for the alcohol exemption/permit to cover the entire year period from January through December, Council approval is required pursuant to §14-5 above.

ACTION:

Councilor Whittlesey MOVED that the Lebanon City Council hereby grants an exemption to Salt hill Pub pursuant to §14-5 of City Code Chapter 14, Alcoholic Beverages, to serve alcoholic beverages on the Lebanon Pedestrian Mall and the closed portion of Court Street as shown on the map included in the January 17, 2024 City Council Agenda Packet. The exemption shall be valid beginning January 18, 2024 and shall expire on December 31, 2024.

Seconded by Councilor Simon

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, , Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

Absent from vote: Councilor Liot Hill

****The Vote on the Motion was approved (8-0)***

- D. Request from Three Tomatoes for an Exemption (per §14-5) of City Code Chapter 14, Alcoholic Beverages, to permit the serving of alcoholic beverages on City property**

Included in the agenda packet: ***(All supportive documents and information can be found on Pages 67-69, Council agenda packet)***

1. January 4, 2024 Letter from Louise Clark on behalf of Three Tomatoes
2. Location Map of Outdoor Seating Areas for Three Tomatoes Trattoria and Salt hill Pub

Assistant Mayor Below recused himself from this discussion and vote because he has an I ownership interest in the building at One Court Street and sat in the audience.

BACKGROUND

Three Tomatoes is requesting renewal of their exemption to serve alcohol in their “normal” awning area on the Pedestrian Mall and their expanded seating on Court Street. Please see attached letter from Louise Clark.

City Administration has no objection to the closure of the portion of Court Street for use by Three Tomatoes as has been done since 2020.

As has been done in the past, alcohol will be served in the outdoor seating areas. City Code Chapter 14, Alcoholic Beverages, §14-5, Exemption, states that, “Any person, publicly recognized organization, organized group, family group or business may be exempted from the provisions of this article for a short

period of time not exceeding 12 hours, upon first obtaining permission from the City Manager after consultation with and approval by the Chief of Police. For a period of time exceeding 12 hours but not exceeding one year, permission must first be obtained from the Lebanon City Council and reviewed on an annual basis.” Whereas the current request is for the alcohol exemption/permit to cover the entire year period from January through December, Council approval is required pursuant to §14-5 above.

Ms. Rebecca Kidder (W-3): She spoke about her objections and concerns regarding the Mall and Court Street being used by restaurants for open seating during the summers.

ACTION:

Councilor Whittlesey MOVED that the Lebanon City Council hereby grants an exemption to Three Tomatoes pursuant to §14-5 of City Code Chapter 14, Alcoholic Beverages, to serve alcoholic beverages on the Lebanon Pedestrian Mall and the closed portion of Court Street as shown on the map included in the January 17, 2024 City Council Agenda Packet. The exemption shall be valid beginning January 18, 2024 and shall expire on December 31, 2024.

Seconded by Councilor Sykes.

Councilor suggested the Council should start to think about adding additional handicapped parking spaces to the Downtown area of the City.

Roll Call Vote:

Councilors Heistad, Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

Recused from vote: Assistant Mayor Below.

Absent from vote: Councilor Liot Hill

***The Vote on the Motion was approved (7-0-1).**

E. Request from Lalo’s Taqueria for an Exemption (per §14-5) of City Code Chapter 14, Alcoholic Beverages, to permit the serving of alcoholic beverages on City property

Included in the agenda packet: [*\(All supportive documents and information can be found on Pages 70-72, Council agenda packet\)*](#)

1. Letter from Nick Yager, Lalo’s Taqueria requesting exemption pursuant to City Code Chapter 14 (Letter undated. Received by the City Manager’s Office January 5, 2024)
2. Map depicting proposed outdoor seating area

BACKGROUND

Lalo’s Taqueria, located at the west end of the pedestrian mall, established an outdoor dining area in 2021 and is planning to continue the service in 2024. As the restaurant serves alcoholic beverages as part of its dining menu, they would like to serve alcohol as part of their outdoor dining service.

City Code Chapter 14, Alcoholic Beverages, regulates the consumption of alcohol on City- owned property. Section 14-5, Exemption, states that, “Any person, publicly recognized organization, organized group, family group or business may be exempted from the provisions of this article for a short period of time not exceeding 12 hours, upon first obtaining permission from the City Manager after consultation with and approval by the Chief of Police. For a period of time exceeding 12 hours but not exceeding one year, permission must first be obtained from the Lebanon City Council and reviewed on an annual basis.” Whereas

the current request is for the alcohol exemption/permit to cover the entire year period from January through December.

ACTION:

Councilor Whittlesey MOVED that the Lebanon City Council hereby grants an exemption pursuant to §14-5 of City Code Chapter 14, Alcoholic Beverages, to Lalo's Taqueria to serve alcoholic beverages on the Lebanon Pedestrian Mall within the area shown on the maps included in the January 17, 2024 City Council Agenda Packet. The exemption shall be valid beginning January 18, 2024 and shall expire on December 31, 2024.

Seconded by Councilor Heistad.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, , Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

Absent from vote: Councilor Liot Hill

****The Vote on the Motion was approved (8-0). Assistant Mayor Below was recused.***

Assistant Mayor Below returned as a regular member of the Council.

F. Request from Lebanon Outing Club for an Exemption (per §14-5) of City Code Chapter 14, Alcoholic Beverages, to permit the serving of alcoholic beverages on City property

Included in the agenda packet: [*\(All supportive documents and information can be found on Pages 73-75, Council agenda packet\)*](#)

1. December 21, 2023 email from Lebanon Outing Club, Cory Grant
2. Map of requested areas

BACKGROUND

Lebanon Outing Club (LOC) is requesting an alcohol exemption to serve alcohol on city-owned property at Storrs Hill Ski Lodge and immediate surrounding areas. Please see the attached email from Lebanon Outing Club President Cory Grant. City Administration has no objection to the request.

City Code Chapter 14, Alcoholic Beverages, §14-5, Exemption, states that, “Any person, publicly recognized organization, organized group, family group or business may be exempted from the provisions of this article for a short period of time not exceeding 12 hours, upon first obtaining permission from the City Manager after consultation with and approval by the Chief of Police. For a period of time exceeding 12 hours but not exceeding one year, permission must first be obtained from the Lebanon City Council and reviewed on an annual basis.” Whereas the current request is for the alcohol exemption/permit to cover a one-year period.

ACTION:

Councilor Whittlesey MOVED, that the Lebanon City Council hereby grants an exemption to Lebanon Outing Club (LOC) pursuant to §14-5 of City Code Chapter 14, Alcoholic Beverages, to serve alcoholic beverages on city owned property at Storrs Hill Ski Lodge and immediate surrounding areas. The exemption shall be valid beginning January 18, 2024 and shall expire on December 31, 2024.

Seconded by Councilor Heistad.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

Absent from vote: Councilor Liot Hill

***The Vote on the Motion was approved (8-0).**

G. Discussion & Set Public Hearing for February 7, 2024: Ordinance #2024-03 to amend City Code Chapter 46, Cemeteries, to remove provisions for holiday burials.

Included in the agenda packet: [*\(All supportive documents and information can be found on Pages 76--77, Council agenda packet\)*](#)

1. Proposed Ordinance #2024-03

BACKGROUND

In an effort to streamline operations and create equity amongst staff within the Department of Public Works, Public Works Administration is proposing that burials no longer be permitted on any holiday officially observed by the City. As proposed, weekends immediately preceding or immediately following a holiday would be included as part of the holiday and burials would not be permitted on these days.

By current regulation, burials are not permitted on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, or Christmas Day unless otherwise approved by the Director of Public Works. Burials have not been previously approved on any of these holidays for as long as staff can recall.

The other observed annual holidays are Martin Luther King, Jr./Civil Rights Day (Third Monday in January); Presidents' Day (Third Monday in February); and Veterans' Day (November 11).

A calendar would be created annually to show available burial dates and would be available to the public via the City's website or in-person at the DPW Admin Building. The calendar would also be furnished to our local churches and funeral home(s). Should this Ordinance be adopted as proposed on February 7, 2024, there would be 17 days for the remainder of the year when burials would not be permitted.

The Council was asked to set a public hearing for February 7, 2024, to consider the adoption of Ordinance #2024-03.

Council Discussions:

Councilor Whittlesey noted that in the Jewish tradition it is required that a body be buried within 24 hours.

Deputy City Manager David Brooks also informed the Council about the regulations regarding weekend and holiday burials as they stand now.

ACTION:

Councilor Sykes MOVED that the Lebanon City Council hereby schedules a public hearing for Wednesday, February 7, 2024, beginning at 7:00 pm, in Council Chambers, City Hall, and Remote via City's Virtual Platform, for the purpose of receiving public input and taking action on proposed

Ordinance #2024-03 to amend City Code Chapter 46, Cemeteries, to revise regulations with regard to holiday burials.

Seconded by Assistant Mayor Below.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, , Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

Absent from vote: Councilor Liot Hill.

***The Vote on the Motion was approved (8-0)**

H. Review and Discussion of the West Lebanon Revitalization Advisory Committee's Recommendation for Redevelopment of 14, 28, and 30 Main Street, West Lebanon

Included in the agenda packet: *(All supportive documents and information can be found on Pages 78-87, Council agenda packet)*

1. West Lebanon Revitalization Advisory Committee's Final Decision on Recommendation to City Council on Redevelopment of 14, 28, and 30 Main Street, December 4, 2023
2. Results of Future Use Survey for 14, 28, and 30 Main Street conducted by West Lebanon Revitalization Advisory Committee

Councilor Simon reviewed the background and the reasons behind the West Lebanon Revitalization Advisory Committee's recommendation as stated above

BACKGROUND

On May 31, 2023, the City completed the acquisition of properties located at 14, 28, and 30 Main Street in West Lebanon. Subsequently, the City Council asked the West Lebanon Revitalization Advisory Committee (WLRAC) to lead a process of engaging the community to determine the preferred disposition and redevelopment of the properties.

WLRAC discussed the issue at numerous committee meetings during the Summer and Fall of 2023. In addition, WLRAC conducted an online survey to obtain community feedback concerning potential redevelopment scenarios. The survey results from 350 respondents are included as an attachment.

On December 4, 2023, WLRAC adopted the attached motion below, which Councilor Simon read into the record, summarizing its recommendations to the City Council on the redevelopment of the Main Street properties. Members of the West Lebanon Revitalization Advisory Committee and the Planning and Development Department were present at the Council meeting to review and discuss the process and resulting recommendations.

Councilor Simon read into the record the WLRAC Final Decision on their recommendations to the Council as listed below:

**West Lebanon Revitalization Advisory Committee
Final Decision on Recommendation to City Council on
Redevelopment of 14, 28 and 30 Main Street
December 4, 2023 Regular Meeting**

Motion made by: Andrew Faunce

Upon the request of the Lebanon City Council the West Lebanon Revitalization Advisory Committee was charged with exploring options for making recommendations and seeking the community's input on the properties at 14, 28 and 30 Main Street in West Lebanon concerning the disposition of said properties based upon West Lebanon community's preferences.

Therefore, based on testimony given, materials presented, community feedback, a neighborhood survey and supporting documents submitted, I move that the West Lebanon Revitalization Advisory Committee approve the following recommendations for City Council's Consideration concerning the future disposition of 14, 28 and 30 Main Street:

1. The subject properties should be converted into a mixed-use building, including commercial uses occupying the 1st floor and residential units occupying the upper floors.
 - a. To help achieve a walkable and more sociable downtown, street-level storefronts should create outdoor space for informal gatherings. This could be achieved by an overhang or a greater setback at street level, with the upper floors extending to create a contiguous weather protected street adjacent space. Parking should be included as well.
 - b. Commercial offerings that support residents and attract others to visit and spend time in town - for example one or more eateries to offer service across the day are preferred to "hit and run" retail opportunities.
 - c. Given the lack of redevelopment on Main Street recently, it may be necessary for the City to subsidize the project in some way (sell property at reduced price, favorable lease terms etc) to bring these goals to fruition.
2. That 28 and 30 Main Street should be unified into one parcel.
3. Dependent upon viability of the project it may be appropriate to abandon the Church Street public right of way and add 14 Main Street to the other merged lots. This would create a contiguous connected street frontage on Main Street and make Church Street dead end on the property's east side. Alternatively, consideration could be given to developing over the public right of way to support maximum residential uses and to either preserve the full right of way or sustain pedestrian access to Main St while creating additional (rentable) outdoor social space.
4. If possible, the intermittent stream to the rear of the properties should be designed in such a way as to maximize daylighting for the stream and to create a positive environmental impact.

DRAFT MOTION

West Lebanon Revitalization Advisory Committee
Council Recommendation
14, 28 and 30 Main Street
Page 2 of 2

5. If possible, the rear area of 30 Main Street should be designed in such a way to include a recreational pocket park area for area residents to enjoy.
6. Recommend that the Lebanon City Council begin the RFP process. The RFP should give priority to projects that meet the criteria in bullet point numbers one, three, four and five. If these items are not practically or economically feasible, developers should indicate what concessions the City might offer to make their project(s) viable.
7. Recommend that the West Lebanon Revitalization Advisory Committee be kept apprised of the RFP process and that it be given the opportunity to review and comment on RFP responses, as appropriate.
8. Recommend that the City Council assign the RFP process to the appropriate staff members, with the goal of a release date not later than February 1, 2024.

Motion seconded by: James Mashal

Vote: Unanimous (7-0)

Council Discussions:

Mayor McNamara was encouraged by the number of respondents to the questionnaire, noting these would help the Council with an evaluation of any proposals that are submitted.

Councilor Simon noted that if you removed the respondents that were not residents in West Lebanon, the number wanting to see a Fire Station in West Lebanon rose by about 8-10% on the graph. This was a higher number for the folks in West Lebanon wanting to see a Fire Station built along Main Street.

Assistant Mayor Below spoke about his reasons why he felt there could be both a Fire Station and a significant mixed-use development on the site (i.e., a drive through, 3-bay garage to the street on the southern end of the lot, and still go up (build) 3-4 stories /55ft.). He knows the City does not have the capacity to finance a new Fire Station in West Lebanon for quite a while but thought that when we are looking at West Lebanon, in terms of emergency response, this is the right vicinity to have an optimal fire/ambulance response time and further explained his reasons. He questioned if the RFP could include (as an alternate) having someone build and finance the Fire Station then have the City rent it and further explained his reasons on how this could be done.

Councilor Simon noted the Committee looked at this when they were having discussions, but wanted to go with what the majority of respondents were looking for and also did not want to overload themselves beyond what they were charged to do and further explained his reasons.

Councilor Sykes spoke about his concerns: 1) The challenge of trying to find a location for the Fire Station, and 2) Firefighters who will have a secondary living situation as compared to the new Fire Station situation (i.e., a Fire Station that has serious problems), noting the impetuosity of trying to look out for the safety of the firefighters who give so much.

Councilor Wilkie spoke about his reasons for including some below market rate residential housing to the RFP, perhaps even having this as a priority.

Councilor Whittlesey concurred, noting the statement could read: Additional consideration will be provided to proposals that will include below market rate housing and further explained his reasons.

Mr. Dan Nash (W-1 and Economic Development Committee-EDC) came forth and spoke about how the West Lebanon Fire Station could be constructed to accommodate mixed-use/or housing and other suggestions for Front Street.

City Manager Mulholland wanted the Council to be very careful with changing the way the Motion from the WLRAC is written right now. It is the way it should be written and nothing more should be added (i.e., nothing about a Fire Station/workforce housing/below market rate housing). If the Council wants to add these things, they have to be included in the Council's motion.

Councilor Sykes spoke about his reasons why he did not feel this RFP needed to be rushed and was reluctant to wordsmith a motion.

Mayor McNamara noted the WLRAC has done a tremendous amount of work and came up with some things that are very clear. He would like the City to hold onto this for as short a period of time as possible.

Councilor Simon noted the WLRAC was asked to do this in a very short turnaround time. He reiterated again that they did discuss some of these topics, but they decided to keep the RFP (as presented) and spoke about his reasons why he felt the Council should take action on this tonight, noting if there is enough interested in adding on what Assistant Mayor Below or Councilor Wilkie suggested this could be done relatively easily. If this gets kicked backed to the Committee, he felt they would be very disappointed and upset.

The Council continued their discussions regarding the mixed use suggestion; having a walkable West Lebanon; having the RFPs remain open; how “perfect is the enemy of the good,” and this RFP is good and does not need to be perfect for the Council to move forward; and the suggestion that the RFP be modeled after Spencer Street to give additional points to those proposals that incorporate workforce housing.

ACTION (1):

Assistant Mayor Below MOVED that the Lebanon City Council hereby authorizes and directs the City Manager to prepare and advertise a Request For Proposals (RFP) for the redevelopment of city- owned properties located at 14, 28, and 30 Main Street, West Lebanon, incorporating the recommendations of the West Lebanon Revitalization Advisory Committee as set forth in the January 17, 2024 City Council Agenda Packet, with options for incorporating the replacement West Lebanon Fire Station into a mixed-use project and consideration of workforce housing as an option or an optional factor with a goal of advertising the RFP by March 1, 2024.

Assistant Mayor Below noted he shifted the date because it would take more time to think about the RFP that includes workforce housing and/or a proposal that might incorporate a replaced Fire Station into a mixed-use project, which would include a description of what that need might look like, noting this may not be a good time for a developer(s) proposal and further explained his reasoning. However, if we do not put the Fire Station on the table, we will not see any proposals that suggest that.

Seconded by Councilor Sykes.

City Manager Mulholland spoke about his concerns noting he would not be able to come up with a plan/design for a West Lebanon Fire Station; or what developers would expect from him; etc. For the record, he did not support this motion.

The Council continued their discussions and spoke about the pros/cons and their reasons for either supporting or not supporting this motion. In summary, their discussions included: The complexity of adding the West Lebanon Fire Station and/or below market housing to the proposed RFP; the difference between incentivizing vs. asking for a Fire Station and what would happen if there is a proposal for a Fire Station that does not meet the needs of the City; how workforce housing could take a number of forms and become very complicated; tweaking the language in the RFP that would allow the City to have a space to develop a Fire Station that would meet West Lebanon’s needs; the difficulties in determining how much space should be set aside for the Fire Station and/or future development by the City; seeing this site redeveloped in the short term and then deal with the West Lebanon Fire Station issue at another

site in the future; how the potential for a limited access road between Sachem Village and the DHMC access road would significantly impact a decision on where a West Lebanon Fire Station would go; leaving workforce housing out of the RFP but giving extra credit to developers who consider workforce housing. *(NOTE: Details of the Councils discussions and a transcript can be found on the City's website for January 17, 2024.)*

Assistant Mayor Below noted he wanted to amend his previous Motion's date to September 1, 2024.

City Manager Mulholland wanted to make it very clear for the record that this change would cause the taxpayers money.

Councilor Simon suggested the Council stick with the original motion as suggested by the WLRAC.

ACTION (2):

*Assistant Mayor Below MOVED that the Lebanon City Council hereby authorizes and directs the City Manager to prepare and advertise a Request For Proposals (RFP) for the redevelopment of city- owned properties located at 14, 28, and 30 Main Street, West Lebanon, incorporating the recommendations of the West Lebanon Revitalization Advisory Committee as set forth in the January 17, 2024 City Council Agenda Packet, with conditional options for consideration of incorporating a replacement West Lebanon Fire Station and/or consideration of incorporation consideration of workforce housing with a goal of advertising the RFP by ~~March 1,~~ **September 1, 2024.***
Seconded by Councilor Sykes.

Roll Call Vote:

Voting Yea: Assistant Mayor Below, and Councilor Sykes

Voting Nay: Whittlesey, Zook, Simon, Heistad, Wilkie, and Mayor McNamara

Absent from vote: Councilor Liot Hill.

****The Vote on the Motion FAILED (2-6).***

Councilor Whittlesey spoke about his reasons for supporting the original motion with the additional option on the workforce housing and took the following action:

ACTION (3):

Councilor Whittlesey MOVED that the Lebanon City Council hereby authorizes and directs the City Manager to prepare and advertise a Request For Proposals (RFP) for the redevelopment of city- owned properties located at 14, 28, and 30 Main Street, West Lebanon, incorporating the recommendations of the West Lebanon Revitalization Advisory Committee as set forth in the January 17, 2024 City Council Agenda Packet, with additional optional consideration for workforce housing included in the RFP with a goal of advertising the RFP by March 1, 2024.
Seconded by Councilor Wilkie.

Roll Call Vote:

Voting Yay: Assistant Mayor Below, and Councilors Heistad, Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara

None voted Nay.

Absent from vote: Councilors Liot Hill.

****The Vote on the Motion was unanimously approved by the members present (8-0).***

I. Discuss Potential TIF District for the Main Street Area of West Lebanon

Included in the agenda packet: *(All supportive documents and information can be found on Pages 88-90, Council agenda packet)*

1. Agenda Request Form Submitted by Councilor Simon re: Tax Increment Financing District for Main Street West Lebanon.

BACKGROUND

Councilor Simon reviewed his request as presented in the agenda packet, noting the West Lebanon Revitalization Advisory Committee (WLRAC) has talked about this and rather than having the Committee put a lot of time into this, he wanted to bring this before the Council first for their review. He also would like the Economic Development Commission (EDC) involved as well.

Mayor McNamara noted the Council received a letter from Lyme Properties (developer of River Park) in support of a TIF District and suggested that if the Council were to consider a TIF District for Downtown West Lebanon, that this be expanded to include River Park.

At the request of Councilor Sykes, City Manager Mulholland described the models used for the different TIF Districts (i.e., Define the area and specific purpose; must achieve some objective; needs to have a development plan and an economic analysis of how much revenue it would produce.)

Councilor Whittlesey requested the City Manager to come up with bullet points that Councilor Simon could take back to WLRAC/EDC regarding the requirements/financials for a TIF District for their review.

Assistant Mayor Below spoke about how certain public improvements are a pre-requisite for achieving certain new investments and further explained how/why the different Lebanon TIF Districts were established.

City Manager Mulholland spoke about how the TIF District funds were used to help redevelop/build more tax base into the City's economy. If not done correctly, TIF Districts can have consequences for the taxpayers. A motion will be prepared for the next meeting so the WLRAC/EDC/knows what needs to be done.

ACTION: No action taken at this time.

J. Discuss the City Manager's proposal for development of city-owned parcels pursuant to City Council's April 2022 Resolution on Housing

Included in the agenda packet: *(All supportive documents and information can be found on Pages 84-88, Council agenda packet)*

1. City Council's Resolution on Housing, dated April 21, 2022 *(Page 91-95, agenda Packet)*

Deputy City Manager David Brooks and Mayor McNamara reviewed and explained the reasons for the proposal listed above.

BACKGROUND: *Please refer to pages 91-92, Council agenda packet for complete details.*

On April 21, 2022, the City Council unanimously adopted a Resolution directing the City Manager to take steps to Enable, Incentivize, and Partner in the development of housing needs not currently being addressed by the market through a variety of actions.

To date, the Administration has identified three city-owned parcels that appear to have the potential for new, small-scale, infill residential development. The City has begun to take some due diligence steps on one of the parcels, including authorizing a boundary survey and wetlands delineation. Additional steps will be required for all of the parcels. The properties include the following city-owned parcels:

Barrows Street:

- ~1.51 acres (in two existing parcels) at the west end of Barrows Street (Tax Map/Lot 77- 106 and 77-107); It is envisioned that the end of the Barrows Street right-of-way would be discontinued to allow for the merger of the two properties into a single, large parcel to maximize redevelopment potential.
- Zoned: Residential Three (R-3) District

**Hanover Street Extension:**

- ~1.92 acres on Hanover Street Extension (Tax Map/Lot 64-1)
- Zoned: Residential One (R-1) District

**Seminary Hill Road:**

- ~0.50 acres at 3 Seminary Hill Road (Tax Map/Lot 86-56) and potentially parts of 5 South Main Street (Tax Map/Lot 86-55) depending on the final design of intersection improvements associated with the Dry Bridge project
- Zoned: Central Business (CB) District



The Administration was looking for feedback and guidance from the City Council for continuing to work on this proposed project and to act in furtherance of the City Council's goals as stated in the April 2022 Resolution on Housing.

Council Discussions:

Mayor McNamara noted that market rate principal apartments are being addressed nicely by developers, particularly along Mt. Support Road. Similarly, we have organizations like the Lebanon Housing Authority and Twin Pines who are building apartments that are affordable. What we do not have is affordable single-family owner occupied housing, noting that the average value of a house in Lebanon now is well over \$400K and exceeds \$565K.

What we are hearing from the businesses is that there is a retention problem because some of their employees are wanting to transition from renting an apartment to owning their own single family home. The market is not going to address this situation, so he moved toward what is sometimes called Cottage Communities or Pocket Neighborhoods. He spoke about his experiences of visiting some of these types of housing opportunities in other parts of the country and what impressed him is that they were situated into existing neighborhoods in a way that did not detract from but enhanced the neighborhood and allowed development of parcels that were often too small to be of interest to a developer.

The key feature of these pocket neighborhoods is that they utilize architecturally designed homes. Very few homes in this country today are actually designed by an architect. However, it is possible to build intelligently designed, energy/space efficient homes that are perfectly suitable for many families. The other key feature about Pocket Neighborhoods is that they can be designed around a central common space. Typically, they will have an HOA (Homeowners Association) who are responsible for common maintenance. Pocket Neighborhoods are also great for young families looking for an affordable starter home and for older folks who want to downsize.

The common features of Pocket Neighborhoods are: Small, intelligently designed homes; common open space; and the fact that they can typically be done on smaller lots. We have two types of property in the City where this could potentially happen: 1) City-owned properties not currently on the tax rolls, and 2)

We can identify a number of correctly zoned, privately owned +/-2 acre lots that folks might want to develop on their own.

Since this is a new concept not only in Lebanon, but also in New England, he would like to see one of these areas developed. If we can do one of these (Pocket Neighborhoods) correctly, we show these to enhance a neighborhood and it fulfills what the City is trying to do (having affordable owner occupied housing), which may hold an interest for outside developers.

Ms. Rebecca Kidder (W-3): She came forth again and passionately spoke about the reasons why she objected to having a Pocket Neighborhood project that abuts her property. She also spoke about the potential option of buying the property that abuts hers.

Mayor McNamara explained to Ms. Kidder that when he saw these, they have integrated well into neighborhoods.

The Council and Deputy City Manager David Brooks had further discussions regarding the property that abuts Ms. Rebecca Kidder's property that included the wetlands involved and the buildability of the land involved.

Next steps:

- Preparation of a motion that would allow the City to move forward with a project.
- Identify properties that have the potential for redevelopment.

ACTION: No action taken at this meeting.

K. Discuss possible NHMA Policy Positions for the 2024 NHMA Legislative Policy process.

Included in the agenda packet: *(All supportive documents and information can be found on Pages 96-97, Council agenda packet)*

1. 2025-2026 NHMA Explanation of Proposed Policy form

BACKGROUND

It is the time of year when the New Hampshire Municipal Association (NHMA) begins planning for the Legislative Policy Conference in the Fall. The policy process begins with solicitation of policy proposals from local officials to create an initial issues list. The deadline for submission of a policy proposal is April 15, 2024.

NHMA's legislative policy committees - Finance and Revenue; General Administration and Governance; and Infrastructure, Development and Land Use – will review all policy proposals in order to make recommendations which will go to the NHMA Legislative Policy Conference in September.

City Manager Mulholland noted no action needs to be taken on this tonight, but suggested the Council continue to think about what they would like added to the NHMA Policy Proposals.

ACTION: No action taken at this meeting.

L. Vote to approve annual compensation for the City Manager

BACKGROUND

City Manager Shaun Mulholland was appointed as the City Manager on January 22, 2018. The City Council sets the level of compensation for the City Manager on an annual basis.

ACTION:

Councilor Simon MOVED that in accordance with City Charter §C419:24, Salaries, the City Council hereby increases the compensation of the City Manager by 6.0%, with an effective date of the first pay period of 2024.

Seconded by Councilor Heistad.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, , Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

Absent from vote: Councilor Liot Hill.

**The Vote on the Motion was approved (8-0)*

12. City Manager Report:

City Manager Mulholland updated the Council on the following:

- Westboro Yard Status: City Manager Mulholland and Mayor McNamara informed the Council about the discussions they had with the NH DOT/NH DES/AG this past week.
- Long-term Plans for the Storrs Hill Ski area: He is forming a Working Group to look into this.
- Public Needs Assessment: Part of the Strategic Plan. Effort has been launched.

13. COUNCIL REPRESENTATIVES TO OTHER BODIES: NONE

14. FUTURE AGENDA ITEMS:

15. NON-PUBLIC SESSION: NONE

16. ADJOURNMENT:

Assistant Mayor MOVED for adjournment.

Seconded by Councilor Whittlesey.

Roll Call Vote:

Assistant Mayor Below, and Councilors Heistad, , Simon, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.

None voted Nay.

Absent from vote: Councilor Liot Hill.

**The Vote on the Motion was approved (8-0)*

The meeting was adjourned at 10:01 PM.

Respectfully submitted,

Dona E. Gibson
Recording Secretary