



**LEBANON CITY COUNCIL
APRIL 3, 2024 - 6:00 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: 292 155 940#). If you have trouble accessing this meeting, please email Shaun Mulholland.

The April 3, 2024 Lebanon City Council Meeting is hereby called to order.

2. Pledge of Allegiance

3. Boards and Committees Reports (1st Quarter 2024)

4. 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.)**

5. Open to the Public

6. Recognitions

- A. Week of the Young Child Proclamation
B. Refill Not Landfill Proclamation

7. Approval of Minutes

- A. MOTION TO approve the minutes as presented in the April 3, 2024 agenda packet.

8. Appointments

- A.
- Pedestrian & Bicyclist Advisory Committee, Tim Gilbert (Regular Member)
 - Lebanon Energy Advisory Committee, Sherry Boschert (Reappointment Regular Member)

9. Public Hearing Items

- A. Proposed Amendment to the Zoning Ordinance for Council Adoption – Public hearing for the purpose of receiving public input and taking action on a proposed zoning amendment to amend Zoning Ordinance Section 303.2, Light Industrial (IND-L) District Table of Uses, to add “Vehicular

sales” as a use allowed by Conditional Use Permit in the IND-L District.

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

10. Old Business

- A. Discuss and Act on Recommendations from the DEI Commission regarding the Proposed Ceasefire Resolution for Gaza

11. New Business

- A. Vote to Make Public Previously Sealed Non-Public Session Minutes of the City Council
- B. NH RSA 155-B Order for Demolition of Structure Owned by 375 North Main Street West Lebanon, NH LLC, 375 N. Main Street, West Lebanon
- C. Discussion and Set Public Hearing for May 1, 2024: Complete Discontinuance of the Western (partially-built) Portion of Barrows Street between Parcels 77-106 and 77-107, Lebanon
- D. Discussion and Set Public Hearing for May 15, 2024: Amendment Mount Support Road Special Assessment District, and Authorization to Impose Special Assessment to pay for the Construction Phase of Traffic and Transportation Improvements at Intersection of Mt. Support Road and Lahaye Drive
- E. Authorization for City Manager to Execute Release of Obsolete Sewer Easement Over 207 Mechanic Street
- F. Discuss a proposed legislative policy position to NHMA regarding remote meeting participation and allowing remote participants to count toward the quorum requirement

12. City Manager Report

13. Council Representatives to Other Bodies Report

14. Future Agenda Items

15. Non-Public Session

16. 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
Board/Committee: Arts & Culture Commission
Position: Regular Member
Applicant: S. Blanchard
City Councilor: D. Whittlesey
Assigned Date: 2/22/2024

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

Lebanon City Council Agenda
April 3, 2024

April 17, 2024

Public Hearing Items:

A. Layout of Widening of Trues Brook Road – A public hearing for the purpose of receiving public input and taking action on the proposed Layout of a Widening of Trues Brook Road as a Class V Public City Road pursuant to a Layout Petition received by the City Council on January 26, 2024.

B. Supplemental Appropriation in the amount of \$724,700 for Landfill Gas to Energy Project

New Business:

A. Discussion and Authorization for City Manager to Submit Comments on Behalf of the City to Federal Energy Regulatory Commission regarding the relicensing of Wilder Dam

B. Discussion and Set Public Hearing for May 15, 2024: Complete Discontinuance of Romano Circle as a Class V Public Highway, West Lebanon

C. Discussion and Acceptance of Water Main Extension Requests

D. Discussion and Set Public Hearing for Supplemental Appropriation for Mascoma Lake Watershed Protection Plan

E. Discussion and Set Public Hearing for Supplemental Appropriation for Granite State Clean Fleets Grant for Electric Street Sweepers from Capital Reserve Fund

F. Discussion and Authorization for City Manager to apply for Clean Water State Revolving Fund Loan for PFA Leachate Study

G. Discussion of Installation of Solar EV Chargers in Taylor Street Parking Lot

April 23, 2024 – Work Session

April 25, 2024 – Work Session

May 1, 2024

New Business:

A. Receive public input on Strategic Plan



PROCLAMATION

WEEK OF THE YOUNG CHILD

WHEREAS, the first years of a child's life are crucial for brain development, laying the foundation for future learning, with high-quality early care and education mitigating poverty's effects, identifying delays, and preventing neglect, ensuring every child has access to a strong educational foundation; and

WHEREAS, the vitality of New Hampshire's economy is increasingly dependent on the availability of quality, affordable, safe, and reliable childcare, allowing parents to stay in the workforce and fostering a robust economy; and

WHEREAS, a significant shortage of early childhood education adversely affects our community, with 71% of young children having all available parents working, disproportionately impacting women of color and leading many women to exit the workforce for childcare duties, affecting their income, career advancement, and future security; and

WHEREAS, early childhood educators have been frontline heroes, especially during the pandemic, underscoring the importance of their work in providing high-quality, inclusive care that honors our community's diversity. There is a growing demand to enhance compensation and respect for these educators, alongside efforts to ensure equitable access to quality early childhood education.

NOW, THEREFORE, I, Timothy J. McNamara, Lebanon City Mayor, hereby, proclaim April 6-12, 2024, as the WEEK OF THE YOUNG CHILD in Lebanon, New Hampshire.

Proclaimed this 3rd Day of April in the year 2024.

Timothy J. McNamara
Mayor, City of Lebanon



PROCLAMATION

Refill NOT Landfill Month

WHEREAS, the City of Lebanon owns and operates the Lebanon landfill that has a permitted disposal capacity of another 6 years; and

WHEREAS, the City is concerned about conserving natural resources and with preserving the landfill disposal capacity for future Lebanon residents; and

WHEREAS, the City recognizes that the waste from single-use items like plastic water bottles, coffee cups, grocery bags et cetera, uses natural resources and consumes landfill disposal capacity; and

WHEREAS, the City also recognizes that eliminating waste through reuse is cost effective and environmentally beneficial; and

WHEREAS, choosing to reuse items like refillable containers for water, coffee and other beverages have the potential of reducing waste that will require disposal in the Lebanon Landfill; and

WHEREAS, choosing to reuse cloth grocery bags, cloth napkins and packing a lunch for school or work has a positive impact on the environment; and

WHEREAS, to encourage waste reduction, the month of April 2024 will be designated as “Refill NOT Landfill Month”.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lebanon hereby proclaims the month of April 2024 as Refill NOT Landfill Month and encourages residents to join in observing this month to reduce waste that is ultimately disposed of in the Lebanon Landfill by using reusable items like travel mugs, water bottles, and grocery bags.

Proclaimed this 3rd day of April in the year Two-Thousand Twenty-Four.

Timothy McNamara
Mayor, City of Lebanon

**Agenda
Lebanon City Council
April 3, 2024**

7. Acceptance Of Minutes:

Minutes To Be Accepted

- March 12, 2024 (Canvass of Vote)
- March 20, 2024 (Regular Meeting)
- March 27, 2024 (Organizational Meeting)

MOVED, to approve the minutes as presented in the April 3, 2024 agenda packet.

DRAFT

**CITY OF LEBANON
CITY COUNCIL
MINUTES OF CANVASS OF THE MARCH 12, 2024, VOTE
MARCH 14, 2024 – CITY HALL**

MEMBERS PRESENT: Mayor Timothy McNamara, Assistant Mayor Clifton Below, Councilors Chris Simon, Doug Whittlesey, Devin Wilkie, Erling Heistad.

MEMBERS ABSENT: Councilors Karen Liot Hill, Karen Zook, George Sykes

STAFF PRESENT: City Manager Shaun Mulholland, City Clerk Jaseya Ewing

=====

Per the City Charter, the City Council met on March 14, 2024, to canvass the March 12, 2024, municipal vote.

The meeting was called to order by Mayor McNamara at 8:00 AM.

City Manager Shaun Mulholland read out §C419:14 of the city charter.

The City Council reviewed the voting results as presented by the City Clerk.

Councilor Erling Heistad moved the following resolution:

BE IT RESOLVED, that the City Council hereby validates the results of the Tuesday, March 12, 2024, municipal election, with the counts as indicated and the measures that have been passed, as follows:

Ward Councilors:

(2-year terms) Christian Simon, Ward 1
George Sykes, Ward 2
Karen Zook, Ward 3

Councilors At Large:

(2-year term) Erling Heistad
Timothy McNamara

Library Board of Trustees:

(3-year terms) Renee Dunn
Emma Wunsch
Jeffrey Damren

Moderator Ward 1:

(1-year term) Roxanne Benzel

Supervisor of the Checklist Ward 1:

(1 year term)

Gail Patten

Margaret Hastings

Charter Amendment #1: Delete and repeal references in the City Charter to a Personnel Advisory Board and Grievance Board, specifically as follows:

- Delete and repeal §C419:53 (Personnel Advisory Board) in its entirety;
- Delete and repeal §C419:53a (The Grievance Board) in its entirety; and
- Amend §C419:17 by deleting reference to the City Manager's power to appoint a member of the personnel advisory board (strike the words "or his or her power to appoint a member of the personnel advisory board under Section 53 of this chapter,").

	WARD 1	WARD 2	WARD 3	TOTAL
YES	238	213	200	651
NO	36	45	41	122

Seconded by Mayor McNamara.

The vote on the Motion was unanimously approved (6-0)

Motion by Assistant Mayor Below to adjourn the meeting at 8:09 am.

Seconded by Councilor Simon.

The vote on the Motion was unanimously approved (6-0)

The meeting adjourned at 8:09 am.

Respectfully submitted,



Jaseya Ewing
City Clerk

DRAFT

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, March 20, 2024 7:00 p.m.
Council Chambers**

Remote Via Microsoft Teams: LebanonNH.gov/Live

MEMBERS PRESENT: Mayor Tim McNamara, Assistant Mayor Clifton Below, Erling Heistad, Karen Liot Hill (Arrived 7:53P), Christian Simon, George Sykes, Douglas Whittlesey, and Karen Zook (Arrived 7:15PM)

MEMBERS ABSENT: Devin Wilkie

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager David Brooks, Deputy Director of Planning & Development Tim Corwin, Director of Planning & Development Nathan Reichert, Solid Waste Manager Erica Douglas, Human Resources Director Samantha Lauzon, Finance Director Vicki Lee, Deputy Finance Director Alesia Williams, Planning Administrative Assistant Crystal Taplin

1. CALL TO ORDER: Mayor McNamara called the meeting to order at 7:00 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.

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

4. OPEN TO PUBLIC: No one came forth.

5. RECOGNITIONS:

- **AMERICANS WITH DISABILITIES ACT PROCLAMATION**

WHEREAS, The Americans with Disabilities Act, signed into law on July 26, 1990, brought our nation closer to the promise of equal rights for all. This landmark legislation enshrined into law equal access and protection from discrimination for people with disabilities. Passed by a bipartisan Congress and signed by President George H.W. Bush, the Americans with Disabilities Act banned discrimination in employment and ensured equal access to public services and accommodations, telecommunications, and transportation; and

WHEREAS, Enactment of the ADA was a hard-won victory. Today, thirty-four years since the ADA literally opened doors for people with disabilities, this community is making its mark in every sector of American life. As we celebrate the thirty-fourth anniversary of the enactment of the Americans with Disabilities Act, let us recommit to building a city that promotes independence and equality for all; and

WHEREAS, people with disabilities who call Lebanon, NH home, make significant contributions to the diversity, prosperity, and vitality of our city; and

WHEREAS, people with disabilities still face stubborn disparities in education, employment, and housing; and

WHEREAS, we are reminded that disability is a natural part of the human experience that in no way

diminishes the rights of individuals to live independently, enjoy self- determination, make choices, contribute to society, pursue meaningful careers and enjoy full inclusion and integration; and

WHEREAS, the City of Lebanon, NH recommits to ensuring that our community is accessible and inclusive, and that no barriers keep people with disabilities from achieving their dreams.

NOW, THEREFORE, I, Timothy McNamara, Lebanon City Mayor, hereby, proclaim July 25, 2024 as “Disability Justice Day” in Lebanon, New Hampshire. I encourage all businesses and community members to learn more about the housing resources made available by Visions for Creative Housing Solutions and the services offered by other non- profits serving people with disabilities in our community, and to celebrate them for their contributions to our community.

Proclaimed this 20th Day of March in the year 2024.

Timothy J. McNamara
Mayor, City of Lebanon

Item 10 A was taken out of order from what was presented in the Council agenda packet and was discussed as presented below. The remainder of the Council agenda was presented in the order as discussed by the Council.

10. NEW BUSINESS:

A. Presentation of 2023-2024 Lebanon Historic Landmark Designations

Included in the agenda packet: *(All supportive documents and information can be found on pages 59-67, Council agenda packet)*

1. Designated Property Details
2. Historic Landmark Designation Program – Inventory and Plaque Status Verification

Ms. Nicole Ford Burley, Chair of the Heritage Commission, reviewed the background and the requirements needed to achieve the Lebanon Historic designation.

BACKGROUND:

The Lebanon Heritage Commission was established in 2006 to take the place of the Historic District Commission. In addition to its regulatory role within the Lebanon Historic District, the Heritage Commission plays an advisory role citywide, and is responsible for the dissemination of information regarding the City’s historical resources and for conducting the Historic Landmark Program.

In accordance with its purpose statement, the Heritage Commission is responsible for the proper recognition, use, and protection of resources, tangible or intangible, primarily man- made, that are valued for their historic, cultural, aesthetic, or community significance within their natural, built or cultural context. Lebanon is endowed with a trove of properties having historic, architectural, and/or cultural significance that the Heritage Commission strives to recognize to foster individual and community pride.

The Historic Landmark Designation Program was created to identify and aid in the protection of sites of significant community value in the City. Among the action items of Chapter 11, Historic Resources, in Lebanon’s Master Plan, is the following: “Continue identifying structures that qualify for the State and/or National Historic Register and the Historic Landmark Designation Programs.” (#11.1.A3). The Program aims to increase awareness in, and encourage, property owners to invest in the rehabilitation of their buildings, in turn to conserve property values and strengthen the local economy. There may also be some

1 direct benefits to the property owner; for example, with the recent expansion of Economic Revitalization
2 Zone boundaries for tax credit eligibility, landmark designation could bolster qualification.

3
4 The Landmark Designation Program is an honorary celebration of our community's legacies and does not
5 subject properties to any special or additional regulations or restrictions within the City or otherwise.
6 Property owners of proposed designated landmarks are contacted by mail prior to submission for Council
7 nomination.

8
9 For a building to receive Historic Landmark Designation it must possess historical, architectural and/or
10 cultural significance. For example, qualifying sites may be associated with historical events or with the
11 lives of significant persons in our past, or the site may embody the distinctive characteristics of a
12 particular style.

13
14 For more program details, visit: <https://lebanonnh.gov/1103/Historic-Landmark-Designations>.

15
16 In this twenty-sixth (26th) year of the City's Historic Landmark Designation Program, the Lebanon
17 Heritage Commission has identified four (4) properties for designation as local Historic Landmarks. Since
18 the Program's inception in 1997, there have been ninety-six (96) other properties selected for Landmark
19 Designation throughout the City.

20
21 Mayor McNamara read and presented the awards for this year's local Historic Landmark Designations for
22 the following properties: *(Note: Photos of these properties were included in the Council agenda packet.)*

23
24 ***250 Meriden Road, owner: family of Ms. Evelyn Morse**

25 This residence originally served as a Lebanon district school in District 9, also known as the Hough
26 District School. The one-room schoolhouse educated students who lived in the vicinity of LaPlante,
27 Meriden, and Daisy Hill Roads. After the closure of the school near Great Brook Road in 1898, the
28 Hough School served students all the way to the East Plainfield town line. In 1855, the school educated
29 11 students. By 1900, it was host to around 16 students; by 1915, it was only 7. The school was closed
30 and sold to Earl Kinne in 1934, when it was converted into a private residence.

31
32 ***39 N. Park Street, owner: Lebanon Housing Authority**

33 Constructed in 1911, the Hotel Rogers was developed by George S. Rogers and designed by architect
34 John A. Fox. The steel and brick structure cost around \$100,000 to build and boasted 44 rooms with hot
35 and cold running water. The ground floor hosted a dining room and storefronts along North Park Street.
36 Some of the businesses that occupied the first-floor shops between 1911 and 1970 included the Carrie L.
37 Lowe dry goods and women's wear store (known as "a mecca for women"), Chipman's Pharmacy, the
38 Modern Record Shop, the American Finance loan office, Stylers Beauty Salon, and Twin State
39 Television. The exterior of the building was superficially damaged by the 1923 fire that destroyed the
40 neighboring town hall, but the structure remained largely unchanged through the 1960s. In 1970, the hotel
41 was closed, and the building was sold to the Lebanon Housing Authority, who converted the building into
42 senior housing. Renovations included the addition of a fourth story (replacing the original decorative
43 parapet and "Hotel Rogers" sign), removal of the first-floor storefronts, new windows, and other interior
44 and exterior modifications.

45
46 ***44 Bank Street, owner: Catherine Filiano**

47 44 Bank Street was built before 1860 by John Gustin, a local tinsmith. The Gustin family occupied the
48 home until 1895. In 1923, the residence passed into the Lewis family, and Roy Lewis, co-proprietor of the
49 long-running Lewis Brothers hardware store, who resided at 44 Bank Street until his death in 1969. Karen
50 Wadsworth, former mayor of Lebanon and five-time representative to the New Hampshire House of
51 Representatives, occupied the house for nearly two decades in the latter part of the 20th century. The

house is a two and a half story side hall plan, gable-fronted wooden frame house. The brick that so distinguishes the exterior is a veneer added by Roy Lewis as part of extensive interior and exterior renovations during his tenure.

***10 Great Brook Road, owner: Jennifer Muller**

Known as the Ticknor House for its original owner or the Gray House for the family that resided in it for a full century, this house is believed to have been built by John Ticknor in 1786. An inscribed stone in the kitchen hearth provides the 1786 date, and many of the building's original features are still extant, including wide floorboards and exposed wall and ceiling beams. John Ticknor was born in Lebanon, Connecticut in 1761, and was living in Lebanon, New Hampshire by the time of the 1790 census. He and his wife, Mabel (Green), remained in Lebanon until at least 1800 before moving to Plainfield. William Gray and his wife Harriet (Moore) purchased the house in 1858, and it would remain in the Gray family for the next 101 years. William sold the house to his son George and his wife Julia (Hastings), and upon George's death, it passed to his son Arthur and his wife Lilla (Kinney). They in turn sold it to their son Raymond in 1944, and in 1959, it passed out of the Gray family.

ACTION: No action is required by the Council. This item is for informational purposes only

6. ACCEPTANCE OF MINUTES: March 6, 2024 (Regular Meeting)

Councilor Heistad MOVED to approve the March 6, 2024 minutes as written and presented in the March 20, 2024 City Council agenda packet.

Seconded by Councilor Whittlesey.

Councilor Zook arrived at approximately 7:12 PM.

**The Vote on the Motion was approved by members present (7-0). Councilor Liot Hill was not present at the time this vote was taken. Absent: Councilor Wilkie.*

7. APPOINTMENTS:

- Economic Development Commission, Dean Cashman (Regular Member)

Councilor Sykes MOVED to NOMINATE Dean Cashman as a Regular Member of the Economic Development Commission. Term: 03/24-03/26

**The Vote on the NOMINATION was approved by members present (7-0). Councilor Liot Hill was not present at the time this vote was taken. Absent: Councilor Wilkie.*

- Diversity, Equity, and Inclusion Commission, Simone Whitecloud (Reappointment Alternate Member)

Councilor Simon MOVED to NOMINATE Simone Whitecloud for Reappointment as an Alternate Member of the Diversity, Equity, and Inclusion Commission. Term: 03/24-03/26

**The Vote on the NOMINATION was approved by members present (7-0). Councilor Liot Hill was not present at the time this vote was taken. Absent: Councilor Wilkie.*

- Lebanon Energy Advisory Committee, William Stearns (Alternate Member)

Assistant Mayor Below MOVED to NOMINATE William Stearns as an Alternate Member of the Lebanon Energy Advisory Committee. Term: 03/24-03/26

**The Vote on the NOMINATION was approved by members present (7-0). Councilor Liot Hill was not present at the time this vote was taken. Absent: Councilor Wilkie.*

1
2 **8. PUBLIC HEARING ITEMS:**

3 **A. Ordinance #2024-05, Adoption of New City Code Chapter 164, Trees** – A public hearing for
4 the purpose of receiving public input and taking action to adopt Ordinance #2024-05 to add a
5 new Chapter 164, Trees, to the Code of the City of Lebanon
6

7 Included in the agenda packet: *(All supportive documents and information can be found on pages 34-41*
8 *Council agenda packet)*

- 9 1. Ordinance #2024-05, including recommended edits (highlighted in red) as suggested by the City's
10 attorney
11 2. March 13, 2024 Legal Opinion by Attorney Matthew C. Decker, RE: Draft Ordinance 2024- 05
12 (Trees)
13

14 City Manager Mulholland reviewed the background for adding a new Trees chapter (164) in Ordinance
15 #2024-05.
16

17 **BACKGROUND**

18 The City Manager along with the Department of Public Works and the Recreation, Arts and Parks
19 Department have been working in collaboration with the Tree Advisory Board to develop City Code
20 Chapter 164 regarding trees. NH RSA 31:51 is the enabling legislation that allows municipalities to make
21 regulations for the planting, protection, and preservation of shade or ornamental trees upon lands
22 appropriated for public use.
23

24 The proposed new chapter outlines the authority to manage trees on public property and rights- of-way.
25 Various provisions of NH RSA Chapter 231 provide statutory authority to municipalities related to public
26 ways and rights-of-ways. There are several NH Supreme Court decisions that further delineate the authority
27 of municipalities regarding trees.
28

29 There is an administrative policy that further articulates the management of trees under the statutory
30 provisions and the provisions of Chapter 164 once the chapter is enacted.
31

32 In accordance with City Code Chapter 115-3, the City Manager has obtained a legal review of the draft
33 ordinance, which concludes that the ordinance language is consistent with the laws of New Hampshire and
34 the City Charter, is within the City Council's authority to adopt, and is legally enforceable. In the process
35 of reviewing the draft ordinance, the City's attorney has offered a set of minor clarifying edits mostly to
36 the proposed definitions, which are shown in the redline version of the document that was included on
37 pages 36-40 in the Council agenda packet..
38

39 **Mayor McNamara opened the Public Hearing. Hearing no comments from the public, the Public**
40 **Hearing was closed.**
41

42 **Council Comments:**

43 Assistant Mayor Below suggested the Tree Board start to think about what they would like included in a
44 general policy for our land conservation management plan, which is under the purview of the
45 Conservation Commission and the Planning Department.
46

47 In response to Councilor Heistad's question regarding hiring a professional Tree Warden, City Manager
48 Mulholland and Mayor McNamara noted they have been looking into this but due to budget constraints

1 they will be unable to provide one at this time. Mayor McNamara said they will continue to try and find
2 some innovative ways to find a certified arborist.

3
4 **ACTION:**

5 *Assistant Mayor Below MOVED, that the Lebanon City Council hereby adopts Ordinance #2024-05 to*
6 *add a new Chapter 164, Trees, to the Code of the City of Lebanon, including recommended edits as*
7 *suggested by the City's attorney, as presented in the March 20, 2024 City Council Agenda Packet, to be*
8 *effective upon passage.*

9 *Seconded by Councilor Heistad.*

10
11 **The Vote on the Motion was approved by members present (7-0). Councilor Liot Hill was not present*
12 *at the time this vote was taken. Absent: Councilor Wilkie.*

13
14 **B. Amend Ordinance 18, Salary Plan** – A public hearing for the purpose of receiving public input
15 and taking action to amend Ordinance No. 18, Salary Plan, Article II, Non- Affiliated & LPASE
16 Employees, to add the position of Chief Building Official & Health Officer (Grade 13, Non-
17 Affiliated) to the compensation and classification schedule

18
19 Included in the agenda packet: *(All supportive documents and information can be found on pages 43-*
20 *45, Council agenda packet)*

21
22 Ms. Samantha Lauzon briefly reviewed the background and summarized the reasons for adding the
23 position of Chief Building Official and Health Officer as an amendment to Ordinance No. 18.

24
25 **Mayor McNamara opened the Public Hearing. Hearing no comments from the public, the Public**
26 **Hearing was closed.**

27
28 **BACKGROUND**

29 The City Council was asked to take action to amend Ordinance #18, Salary Plan, as follows:

30 1. Article II, Non-Affiliated & LPASE Employees:

- 31 l. Add the exempt position of Chief Building Official & Health Officer, as a Grade 13
32 position within the Planning & Development Department.

33
34 **Article II, Non-Affiliated & LPASE Employees**

35
36 City Administration is proposing the addition of a Chief Building Official & Health Officer position within
37 the Planning & Development Department. This Grade 13, exempt position is being created to direct the
38 plan review, permitting, and inspection of all construction activities within the City of Lebanon and to
39 ensure compliance with adopted codes and ordinances. The position will oversee the City's role in
40 restaurant and food inspections, enforce other health codes, as applicable, and provide accountability for
41 the supervision and operation of the Code Enforcement Division of the Planning & Development
42 Department. The position will supervise the Division's staff, providing professional oversight, advice, and
43 direction, and will report to the Planning & Development Director.

44 **Amendment Process**

45 Amending Ordinance #18 requires three separate presentations (see City Charter subsections
46 §419:22, §419:24, §419:25, §419:52), followed by a Public Hearing, and the vote of at least two- thirds
47 (2/3) of all members of the City Council - six (6) members - to adopt.

The first presentation was recognized by the City Council on February 21, 2024. The second presentation was acknowledged on March 6, 2024. The Council was asked to finalize the amendment process by acknowledging the third presentation and acting to amend the Salary Plan following the close of the public hearing.

The table below reflects all proposed changes (as shown in **red** text), to include the addition of new positions, changes in position titles and/or classification. These changes would be effective upon passage.

The City Council was asked to act on the following:

1. Acknowledge Third Presentation:

ACTION:

Councilor Whittlesey MOVED, that the Lebanon City Council acknowledges the third of three presentations to amend Ordinance #18, Salary Plan, Article II, by adding the position of Chief Building Official & Health Officer (Grade 13, Non-Affiliated) in the Non-Affiliated & LPASE Employee compensation and classification schedules as outlined in the March 20, 2024, City Council Agenda Packet.

*Below is an excerpt of the Non-Affiliated & LPASE Employees' compensation and classification schedules impacted by the proposed change described above. Changes to the compensation and classification schedules are shown in **red** type; new positions and retitled or reclassified positions are shown in **red bold** type; position deletions are shown stricken and in **red italics** type.*

REGULAR FULL-TIME / REGULAR PART-TIME NON-AFFILIATED & LPASE EMPLOYEES 2024 SALARY & GRADES					
Grade	Position Title	Hourly		Weekly	
		Minimum	Maximum	Minimum	Maximum
13	Chief Building Official & Health Officer	-	-	\$1,734.53	\$2,341.63
	Chief Innovation Officer				
	Cyber Security Analyst	-	-	-	-
	Deputy Finance Director	-	-	-	-
	Deputy Human Resources Director	-	-	-	-
	Deputy Fire Chief**	-	-	-	-
	Information Systems Manager**	-	-	-	-
	Maintenance Manager	-	-	-	-
	Police Captain**	-	-	-	-
	Deputy Planning and Development Director	-	-	-	-
	Systems and Operations Administrator	-	-	-	-

**Denotes LPASE Employees

2. RESOLUTION:

FOR THE PURPOSE OF amending Ordinance #18, Salary Plan.

NOW THEREFORE BE IT RESOLVED, that the Lebanon City Council hereby amends Ordinance #18, Salary Plan, Article II, by adding the position of Chief Building Official & Health Officer (Grade 13, Non-Affiliated) in the Non-Affiliated & LPASE Employee compensation and classification schedules as outlined in the March 20, 2024, City Council Agenda Packet Seconded by Councilor Sykes.

****The Vote on the Motion was approved by members present (7-0). Councilor Liot Hill was not present at the time this vote was taken. Absent: Councilor Wilkie.***

9. OLD BUSINESS:

A. 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 47-48, Council agenda packet)*

1. 2025-2026 NHMA Explanation of Proposed Policy form

City Manager Mulholland noted that the first meeting of the NHMA Policy Committees will be on April 5th. The deadline for submitting any policy positions will be April 15, 2024. So far, NHMA has not received any. He thought potentially there could be a policy position on the use of AI (Artificial Intelligence), but this would be difficult to articulate and explained his reasons. If the Council wants to present something they should do so at their April 3, 2024 meeting.

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 policy proposals 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

Council Comments:

In response to Councilor Sykes' question regarding where language changes about contracts stand with the NHMA, City Manager Mulholland said that Mayor McNamara made a Motion but it never received a second. They were pretty much opposed to mandating other communities to do certain things, noting this goes against the grain of local decision making. Councilor Sykes noted that it has always been his position that if something was the right thing to do last year, but failed, it is still the right thing to do this year. Mayor McNamara suggested that if Councilor Sykes wanted to put something together as an agenda item, the Council could discuss it and take a vote on it at their April 3, 2024 meeting.

ACTION: No Action taken at this meeting.

B. Action to Adopt Amendment to City Council Rules: §A191-8, Order of Business, as presented on March 6, 2024

Included in the agenda packet: *(All supportive documents and information can be found on pages 49-58, Council agenda packet)*

1. Proposed amendment to City Council Rules, §A191-8, Order of Business
2. City Council Rules, as adopted on November 16, 2022

Deputy City Manager David Brooks reviewed the background for the proposed amendment to City Council Rules, §A191-8, Order of Business as listed below:

The business of all regular meetings of the Council shall be transacted in the following order unless the Mayor elects to change the order of business for good cause. If any member of the Council objects to the proposed change to the order of business, the Mayor shall ask that the Council vote on the proposed change, by a vote of at least 2/3 of the members present, to suspends the rules and changes the order of business.

BACKGROUND

In accordance with §A191-13 of the Council Rules, proposed amendments must be presented in writing at the preceding regular meeting, prior to adoption. Adoption requires a 2/3 vote of all members of the Council.

On March 6, 2024, the Council reviewed and discussed a proposed amendment to §A191-8, Order of Business, to amend the process by which the order of business may be changed. Currently, the Council Rules call for an affirmative vote of at least 2/3 of the members present to suspend the rules and change the order of business during a meeting. However, based on past practice, the Council rarely, if ever, holds a vote on the issue of whether to change the order of business during a given meeting.

The proposed amendment to §A191-8 would allow the Mayor to change the order of business for good cause. Only if a member of the Council objects to the proposed change would the Mayor call for a vote on the question. In that instance, a vote of 2/3 of the members present would be required to change the order of business.

ACTION:

Assistant Mayor Below MOVED, that the Lebanon City Council hereby amends the Council Rules to include the amendment to §A191-8, Order of Business, as presented on March 6, 2024.

Seconded by Councilor Simon.

**The Vote on the Motion was approved by members present (8-0). Councilor Liot Hill was not present at the time this vote was taken. Absent: Councilor Wilkie.*

10. NEW BUSINESS:

- B.** 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 68-77, Council agenda packet)*

1. Memorandum from Planning and Development Department staff, dated March 13, 2024, including associated attachments.

BACKGROUND:

On January 17, 2024, the City Council voted to move a proposed zoning amendment requested by Cicotte Properties, LLC through the amendment process outlined in Section 1000 of the Zoning Ordinance. The request by Cicotte Properties, LLC is to amend Section 303.2 of the Zoning Ordinance to add “auto sales and service” as a use allowed by Conditional Use Permit in the Light Industrial (IND-L) District.

1 Since the Council's action on January 17, 2024, the amendment has been reviewed by the City's legal
2 counsel, the Planning Board, the Zoning Board of Adjustment, and the Conservation Commission. A
3 summary of the proposed amendment is outlined in the attached memorandum from the Planning &
4 Development Department. The City attorney's legal opinion and excerpts of the Planning Board and Zoning
5 Board of Adjustment draft meeting minutes are attached. The Conservation Commission meeting minutes
6 are not available as of the preparation of the agenda but will be provided when available.

7
8 Ms. Johanna Cicotte, owner of Cicotte Properties, LLC, and Attorney Barry Schuster came forth to
9 discuss the proposed Zoning Amendment change as listed above.

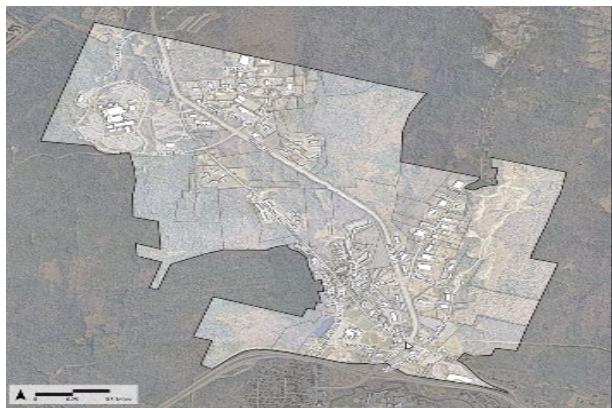
10
11 Attorney Schuster reviewed the background behind the proposed zoning amendment as outlined in
12 Section 100 of the Zoning Ordinance, Section 303.2 to add "auto sales and service" in the IND-L Zone.
13 At this point in time, they would like a Conditional Permit to allow automotive sales and service, and
14 spoke about correcting the language as recommended by Attorney Johnson, changing "vehicular sales" to
15 "automotive sales and service." He noted that having a Conditional Use Permit would still require
16 approval by the Planning Board and a Planning Board Site Plan Review, so it is not making a Permitted
17 Use with no further review but there would be two layers of Planning Board review.

18
19 Ms. Johanna Cicotte spoke about why this proposed amendment was important to her and her business.

20 21 **Council Comments:**

22 In response to Mayor McNamara's request for an explanation about the planned corridor studies
23 timeframe, Mr. Corwin said they have identified the next steps, which include stakeholder interviews and
24 a larger community meeting that he thought would be held on April 24th, but there will an announcement
25 made. After public input, VHB will pull together a plan based on the public's feedback. There will be a
26 survey sent out as well as a final wrap-up meeting. That plan will include recommendations for Zoning
27 changes. We expect to have those recommendations and the final plan by June or July of 2024, at which
28 point we will start crafting the specific language relevant to the recommended zoning amendments and
29 then bring those back to the Council for review in the fall and then for adoption in January (2025).

30
31 Mr. Corwin pulled up the graphic map noting the study will take the entire section starting at Exit 18 N
32 and goes up Route 120, branches out onto Heater Road (both east & west) and up through LaBombard
33 Road and Mount Support Road up to DHMC, and all of Centerra up to the border with Hanover.



35
36 He pointed out that one of the goals is to examine what the future Land Use Map means and to identify
37 certain areas with mixed use neighborhoods to adjust the zoning to match the future Land Use Map and
38 what the future language should be. He did not feel that any anticipated changes (to the Zoning) would
39 have to go before the voters at this time. If there were changes that needed to go before the voters, these
40 could be bifurcated from the Council amendments.

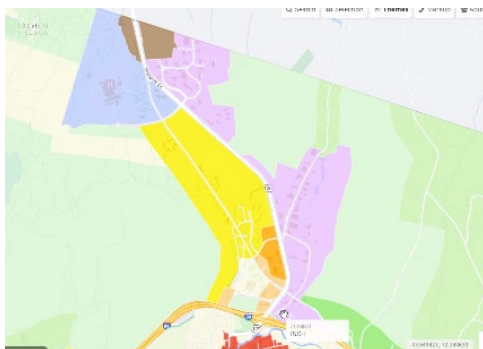
Councilor Liot Hill arrived at approximately 7:53 PM.

In response to Mayor McNamara's question regarding why the Planning Board voted against this, Mr. Corwin explained his impression on why this happened, noting he felt there was some confusion when the proposal was brought before the Planning Board and explained his reasons.

Attorney Schuster respectfully disagreed about there being confusion and read the motion made by Mr. Ford-Burley as presented on [page 75, Council agenda packet](#) and further explained the discussion that took place and why the motion was made. He also noted this was the first time he has seen the map listed above, which is a large, complex piece of property.

Mayor McNamara also said this was the first he has seen the plan, as well.

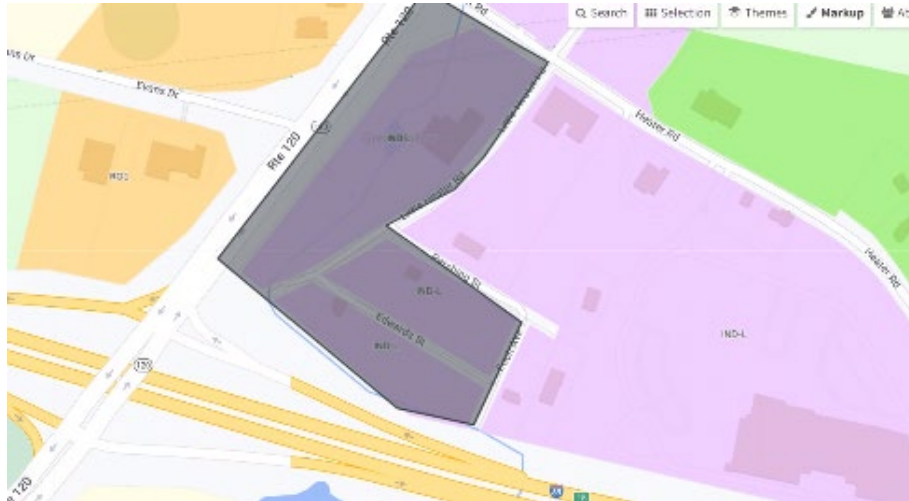
Mr. Corwin pulled up a graphic map of the potential zoning and noted that vehicular sales/services would be allowed in the purple areas (see map below), noting there are also Light Industrial areas in the City (i.e., the Airport and the Timken property).



The Council continued to discuss the areas involved in the IND-L areas; the reasons why the Planning Board made their motion; the decision by the Council 24 years ago that made properties nonconforming; the difference between a Conditional Use Permit vs. Permitted Use; what the Council could do to help the applicant without changing all the zoning from 120 through Mt. Support Road and the Airport; the standards/performance criteria and explanation associated with a Conditional Use Permit; questions regarding special exceptions that would not be permitted in the IND-L Zone (i.e., fireworks factory, etc.); taking advantage of this opportunity (to allow Vehicular Sales/Services as proposed by Cicotte Properties, LLC) being mindful of real-world consequences if this doesn't move forward because business opportunities can appear and disappear just as quickly; and, being careful about losing opportunities for businesses who are providing jobs and tax revenues.

Mayor McNamara informed the Council that they were not voting on this proposed amendment tonight, they are just voting on having a Public Hearing for April 3, 2024. He also said he normally tends to defer to the Planning Board on such matters, but seeing the extent of the area, it just looks huge to him. He did not doubt the study needs to be done, but the timing was different than what he originally understood.

Councilor Liot Hill felt the request by Cicotte Properties, LLC was reasonable and after asking a few more zoning questions, she suggested using a more targeted approach rather than modifying an entire zone (as highlighted in the dark geo-map area below) and explained her reasons.



Mr. Nathan Reichert (Director of Planning & Development) noted the area along Exit 18 has been controversial over the years and has redefined itself several times through different zoning efforts. He spoke about the history of this particular neighborhood. From the staff's perspective we did not feel we had a really great answer to the questions the Council was posing and that is really one of the synthesis points of the study we are asking for. The studies core interests are: What do we do in this neighborhood from a zoning perspective? What is it that we need to do to amend the existing zoning topography and use, so that the neighborhood is better benefited for the folks living there? Engaging with the people of the neighborhood is the core part of the study and is the reason this was authorized.

Councilor Liot Hill said there is a reason the City's Charter allows the Council to make certain zoning changes, but big zoning changes have to go the voters. Small zoning changes can be handled by the Council. She supported narrowing the zoning change (on map above) so we can satisfy the interest of allowing a property owner to move forward with a reasonable request while also protecting the broader interest in how this bigger neighborhood moves forward.

Councilor Simon concurred with Councilor Liot Hill and Councilor Sykes comments and spoke about his reasons for moving forward with this proposal.

Councilor Sykes wanted to make sure the timeline would not take too long to make the suggested change.

Mr. Reichert wanted to consult with legal counsel about Councilor Liot Hill's proposed change noting we may have to go back through all their recommendations from the Conservation Commission and Planning Board in order to bring this back to the Council because it is a subject matter change, but the timeline would probably line up fairly quickly (a couple of months).

Assistant Mayor Below spoke about his reasons for moving forward with the Public Hearing, noting that if the Council does not feel comfortable with this zoning change, they can always revisit it in the future. He did not feel it was necessary to wait until the study has been done.

ACTION:

Councilor Sykes MOVED that that the Lebanon City Council hereby schedules a public hearing for Wednesday, April 3, 2024, beginning at 6:00pm, in Council Chambers, City Hall, and Remote via the City's Virtual Platform, for the purpose of receiving public input and taking action to amend Section 303.2 of the Zoning Ordinance to add "Vehicular sales" as a use allowed by Conditional Use Permit in the Light Industrial (IND-L) District.

1 *Seconded by Councilor Liot Hill.*

2
3 **The Vote on the MOTION was approved by members present (8-0).*

4
5 **C.** Request for Zoning Amendment: Text Amendment for Section 214 (Governmental Uses) of
6 the Zoning Ordinance

7
8 Included in the agenda packet: *(All supportive documents and information can be found on pages 78-*
9 *85, Council agenda packet)*

- 10 1. Proposed amendment (redline) of Section 214 of the Zoning Ordinance, prepared on March 11,
11 2024
12 2. Memorandum of Background Information on Section 214 of the Zoning Ordinance from Attorney
13 C. Christine Johnston, dated March 10, 2024
14 3. NH RSA 674:54, Governmental Land Uses

15
16 Deputy City Manager David Brooks reviewed the background behind the request as listed above.

17
18 **BACKGROUND:**

19 “Governmental use” is defined in NH RSA 674:54, I, as meaning: “a use, construction, or development
20 of land owned or occupied, or proposed to be owned or occupied, by the state, university system, the
21 community college system of New Hampshire, or by a county, town, city, school district, or village district,
22 or any of their agents, for any public purpose which is statutorily or traditionally governmental in nature.”
23 Pursuant to the statute, governmental uses are not subject to local land use regulations, including zoning
24 regulations and site plan review regulations. Projects that meet the statutory definition of “governmental
25 use” may be reviewed by the governing body or by the Planning Board, but any comments issued pursuant
26 to such reviews are non-binding and advisory only.

27
28 By contrast, Section 214 of the Lebanon Zoning Ordinance regulates Governmental Uses as follows:
29 “Governmental Uses shall be governed by RSA 674:54; provided, however, that governmental uses
30 proposed by the City of Lebanon shall be considered to be subject to this Ordinance, unless expressly
31 exempted from it by vote of the City Council.” Rather than rely on NH RSA 674:54, which exempts
32 governmental uses from local zoning regulations, Section 214 specifically requires the City’s
33 governmental use projects to conform to the requirements of the Zoning Ordinance.

34 Requiring the City’s governmental use projects to comply with local zoning regulations has the potential
35 effect that certain projects will be designed in a suboptimum manner in order to comply with Zoning
36 Ordinance requirements that were primarily drafted and intended to apply to private land developments
37 and not public infrastructure projects. Alternatively, it requires those projects to obtain zoning relief from
38 the Zoning Board of Adjustment. This concern was recently brought to the Council’s attention in the
39 context of the Trues Brook Road bridge reconstruction project, which would have required both a Variance
40 and a Special Exception from the Zoning Board. Similarly, the Lahaye Drive/Mt. Support Road
41 Intersection Project and the Lahaye Drive Multi-Use Path/TAP Project would have required Special
42 Exceptions from the Zoning Board. The City Council ultimately exempted all three projects from the
43 requirements of the Zoning Ordinance.

44 The conditions for granting a variance or special exception, as the case may be, are listed in the Zoning
45 Ordinance and the Zoning Board is tasked with approving or denying the request on the merits of the
46 application. Even if approved, any aggrieved abutter could appeal the ZBA decision. Any appeal could

adversely affect a project's construction schedule and potentially lead to an undesirable result that is contrary to public interest.

As explained further in the memorandum from Attorney Christine Johnston, the statutory exemption of governmental uses from local zoning regulations reflects the nature of governmental uses, which have fundamentally different issues than private development. It is City staff's position that modifying Section 214 to exempt all governmental uses from the requirements of the Zoning Ordinance will ensure that municipal improvement projects, such as building roads, replacing bridges, constructing public facilities, and other governmental needs, are optimally designed to serve the public interest and are not jeopardized by having to obtain approval from the Zoning Board of Adjustment. However, it is understood and acknowledged that projects undertaken by the City, or on City land or property, which do not meet the statutory definition of a Governmental Use, would continue to be fully subject to the provisions of the local zoning ordinance and land use regulations.

City Attorney Christine Johnston came forth and reviewed her Memorandum of Background Information on Section 214 of the Zoning Ordinance and spoke about why the statute was written, noting that Governmental Uses are fundamentally different than private development. We hope that most private development will have some kind of benefit to the greater public but Governmental Uses are inherently aimed at achieving some kind of public good. *(Please refer to her memo dated March 11, 2024 and the TITLE LXVI Planning and Zoning Statute as listed on pages 81-85, Council agenda packet for details).*

Below is the proposed amendment (redline) of Section 214 of the Zoning Ordinance

ARTICLE II GENERAL PROVISIONS

SECTION 214 GOVERNMENTAL USES.

~~Governmental uUses shall be governed byas defined in RSA 674:54; whether proposed by the City of Lebanon or another governmental entity, shall be subject to the provisions of that statute and shall not be subject to the City of Lebanon Zoning Ordinance. Any use, construction, or development of land occurring on governmentally owned or occupied land but which is not a governmental use as defined in RSA 674:54 is fully subject to the City of Lebanon Zoning Ordinance; provided, however, that the City Council may vote governmental uses proposed by the City of Lebanon shall be considered to be subject to this Ordinance, unless to expressly exempted from it by vote of the City Council any non-governmental use by the City of Lebanon from compliance with the Ordinance.~~

Council Comments:

Mayor McNamara reminded the Council that what they will be doing tonight is to put this in motion for the next several months to go through the various boards for their comment.

Councilor Liot Hill said the Council specifically made the decision to subject themselves to zoning about 15 years ago and questioned if the City has had any substantial delays on major projects due to this type of zoning issue.

Mayor McNamara spoke about his reasons why he felt comfortable with this (text amendment) and did not see a downside moving forward with this process.

Councilor Zook noted the Council could get caught up in zoning because zoning has very specific statutory requirements, noting the City is constrained in a way that a private citizen is not, and further

1 explained her reasoning.

2
3 Mr. Corwin said that what been done over the last 8-10 years is that we automatically schedule a Public
4 Hearing for Governmental Use application, but the statute actually provides that “you provide notice of a
5 project to the governing body and the Planning Board” and then those two can choose whether or not to
6 hold a Public Hearing. Councilor Zook added that while the Planning Board does not vote on
7 Governmental Uses, it is still a valuable process.

8
9 Mayor McNamara noted that times have changed over the past 15 years and it seems like it is worth
10 getting the input from the Planning Board, the Zoning Board, the Conservation Commission.

11
12 **ACTION:**

13 *Assistant Mayor MOVED, that the Lebanon City Council in accordance with the City of Lebanon*
14 *Zoning Ordinance, Article X, Section 1000.3, Amendment Procedures, submits the Zoning Ordinance*
15 *amendment as shown in the redline dated March 11, 2024, included with the March 20, 2024 City*
16 *Council agenda packet, to the Planning Board, Conservation Commission, and Zoning Board of*
17 *Adjustment for their review and comment. The City Council hereby sets the following tentative review*
18 *schedule:*

19 *Planning Board – April 22, 2024*

20 *Zoning Board of Adjustment – May 6, 2024*

21 *Conservation Commission – May 9, 2024*

22 *City Council Final Review – June 5, 2024*

23 *City Council Public Hearing – June 19, 2024*

24
25 *Seconded by Councilor Simon.*

26
27 **The Vote on the MOTION was approved by members present (8-0).*

- 28
29 **D.** Discussion and Set Public Hearing for April 17, 2024: Supplemental Appropriation in the
30 amount of \$724,700 for Landfill Gas to Energy Project

31
32 Included in the agenda packet: *(All supportive documents and information can be found on pages 86-*
33 *96, Council agenda packet)*

- 34 1. Change Order Request from Waldron Engineering & Construction, Inc., dated March 1, 2024.
35 2. Letter to Solid Waste Manager Erica Douglas from Vergent Power Solutions, dated
36 October 30, 2023, regarding the Factory Protection Plan for CR1000S Microturbine
37 at Lebanon Landfill, including brochure.
38 3. Landfill Gas-to-Energy Summary of Alternatives spreadsheet, updated through
39 March 5, 2024.

40
41 Ms. Erica Douglas (Solid Waste Manager) reviewed the background and explained the reasons behind her
42 request for a Supplemental Appropriation for the Landfill Gas to Energy Project specifically noting that
43 they have run into a multi-year delay due to a required study for National Grid.

44
45 **BACKGROUND:**

46 Various components of the proposed Landfill Gas-to-Energy Project have required amendments due to
47 changes in the scope of services requested by the City and provided by City’s consultant, Waldron
48 Engineering & Construction, Inc. Attached is a Change Order Request from Waldron, which includes
49 work outside the original scope that has already been completed, additional costs associated with the
50 expanded scope of work requested by the City, and costs associated with project delays outside the City’s

and the consultant's control. Specifically, National Grid requested a 16-month study for their substation on Poverty Lane, which Liberty Utilities will utilize in this project. This has caused major delays on the project and increased the costs for maintaining the equipment onsite along with the costs for labor and other materials for the subcontractors as outlined in the change order. The air permit was also submitted originally with catalytic converters, which required multiple redesign efforts, and permitting resubmittals to have them removed. Had this redesign not been done, it would have added significant cost to the project.

In addition, requested funds incorporate anticipated cost increases in the Factory Protection Plan, which covers all maintenance, any repairs as well as replacement of all turbine engines in year 10 of the plan. Due to the delays, the previous warranty extension on the microturbines will run out in August. In order to avoid potential cost increases during commissioning, we will need to sign our contract for the Factory Protection Plan prior to commissioning.

Lastly, requested funds will cover Capstone Factory training costs for two (2) staff members. See Vergent Factory Protection Plan letter dated October 30, 2023 outlining training cost.

Although these additional costs will be bonded by the City, the bond will be repaid from the Solid Waste Enterprise Fund, so there will be no impact on the property tax rate.

Council Comments:

In response to Councilor Liot Hill's inquiry about what the holdup was with the National Grid, Assistant Mayor Below gave a summary of the situation and specifically noted that Liberty Utilities took an entire year before they engaged with the National Grid. Arguably there is a delay here due to Liberty Utilities failure to act to get their agreement with National Grid for upgrades on their side of the substation. Beyond that, National Grid said they needed 18 months from the time Liberty Utilities signed their contract before they would be able to complete the work, which is now on track to be completed in a matter of months, perhaps by fall of this year (2024).

ACTION:

Councilor Simon MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, April 17, 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 appropriate \$724,700 to supplement current funding for the Landfill Gas-to-Energy capital project, and to authorize the issuance of bonds/notes in accordance with the Municipal Finance Act (NH RSA 33). Seconded by Councilor Liot Hill.

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

E. Presentation of 2022 Financial Audit

Included in the agenda packet: *(All supportive documents and detailed information can be found on pages 97-206, Council agenda packet)*

1. March 4, 2024 Letter of Governance by Independent Auditors Plodzik & Sanderson, P.A.
2. City of Lebanon Annual Financial Report – Fiscal Year Ending December 31, 2022
3. Municipal Airport Passenger Facility Charges Report – Fiscal Year Ending December 31, 2022

Mr. Kyle Gingras of Plodzik & Sanderson (Audit Manager for the City of Lebanon) was present and briefly summarized their review of the 2022 City of Lebanon's Financial Audit as detailed in the Council

agenda packet. He noted there was one deficiency (*page 194, Council agenda packet*) but that was only due to a missing policy over the use of Airport revenues, which is an easy item to fix.

ACTION: *No action was required by the Council: Item was for informational purposes only.*

F. City Manager Job Description

Included in the agenda packet: (*All supportive documents and information can be found on pages 207-222, Council agenda packet*)

1. ICMA Code of Ethics
2. Draft City Manager Job Description with proposed changes

City Manager Mulholland reviewed the background and requested the Council add the proposed change to the City Manager's Job Description.

BACKGROUND:

The International City Manager's Association (ICMA) has a Code of Ethics that its members must abide by in order to be a member of the ICMA. The City Manager has implemented ADM- 108, which is the administrative policy on ethics that City staff must comply with. The City Manager is recommending that the job description for the position of City Manager be amended to include the ICMA Professional Code of Ethics to the extent its tenets are not contrary to the City's ethics provisions.

Proposed change to the City Manager's Job Description is listed below:

18.19. Uphold and follow the City's Ethics Policies and the International City Management Association's Code of Ethics to the extent it is not consistent with the City's Ethics Policies.

ACTION:

Councilor Whittlesey MOVED, that the Lebanon City Council hereby amends the City Manager job description to include the provisions of the ICMA Code of Ethics.
Seconded by Councilor Liot Hill.

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

11. CITY MANAGER REPORT:

City Manager Mulholland updated the Council on the following:

- Westboro Yard Update: City Manager Mulholland spoke about the conversations he had at a meeting with the New Hampshire DOT Commissioner/staff regarding the ongoing issue of building a \$17M bridge. The Council also held discussions regarding the railroad transloading site.

12. COUNCIL REPRESENTATIVES TO OTHER BODIES:

- Councilor Liot Hill extended her, and the City Council's, thanks to the Lebanon Police Department for their response to the Lebanon High School's incident /lockdown and for their response to the river incident this past week.

13. FUTURE AGENDA ITEMS:

14. NON-PUBLIC SESSION: NONE

1 **15. ADJOURNMENT:**

2 *Councilor Whittlesey MOVED for adjournment.*

3 *Seconded by Councilor Heistad.*

4

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

6

7 **The meeting was adjourned at 9:41 PM.**

8

9 Respectfully submitted,

10 Dona E. Gibson

11 Recording Secretary

DRAFT

**LEBANON CITY COUNCIL-ORGANIZATION MEETING
MINUTES**

Wednesday, March 27, 2024, 7:00 p.m.

Council Chambers or

Remote Via Microsoft Teams: LebanonNH.gov/Live

MEMBERS PRESENT: Mayor Tim McNamara, Assistant Mayor Clifton Below,
Erling Heistad, Karen Liot Hill, Christian Simon, George Sykes, Douglas
Whittlesey, Devin Wilkie, and Karen Zook

MEMBERS ABSENT: None

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager David Brooks,
Deputy City Clerk Kara Tracy, Planning Administrative Assistant
Crystal Taplin

1. CALL TO ORDER: Mayor McNamara called the meeting to order at 7:00 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.

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

4. OPEN TO PUBLIC:
• Councilor Liot Hill informed the Council that NH Congresswoman Annie Kuster will not be
running for re-election and requested a Resolution be drafted in her honor.
• Councilor Simon presented his accolades to Department of Public Works for keeping the roads
open over this past weekend, noting that a storm that lasts over 24 hours in duration draws a lot
upon their service and felt they did an excellent job. It is very much appreciated.

5. RETIREMENT OF OUTGOING COUNCILOR: NONE

6. WELCOMING RE-ELECTED COUNCILORS:

Mayor McNamara welcomed back the following re-elected Councilors:

- Christian Simon (Re-Elected Ward 1)
- George Sykes (Re-Elected Ward 2)
- Karen Zook (Re-Elected Ward 3)
- Timothy McNamara (Re-Elected At-Large)
- Erling Heistad (Re-Elected At-Large)

Deputy City Clerk Kara Tracy administered the Oath to all City Councilors, and they were officially seated.

7. NOMINATION AND ELECTION OF TEMPORARY CHAIR

Kara Tracy, Deputy City Clerk, opened the Nominations for Temporary Chair.

Councilor Below put forth the NOMINATION of Councilor Liot Hill as Temporary Chair.

1 Hearing no further nominations for Temporary Chair, Deputy City Clerk Kara Tracy closed the
2 nominations and called for a vote.

3
4 **The Vote on the NOMINATION to elect Councilor Liot Hill as Temporary Chair was approved (9-0).*

5
6 **8. NOMINATION AND ELECTION OF MAYOR AND ASSISTANT MAYOR:**

7
8 **MAYOR:**

9
10 Councilor Liot Hill, Temporary Chair, opened the Nominations for Mayor.

11
12 *Councilor Simon put forth the NOMINATION of Councilor McNamara as Mayor.*

13
14 Hearing no further nominations for Mayor, Councilor Liot Hill, Temporary Chair, closed the
15 nominations and called for a vote.

16
17 **The Vote on the NOMINATION of Councilor McNamara for Mayor was approved (8-0-1).*
18 *Councilor McNamara abstained.*

19
20 **ASSISTANT MAYOR**

21
22 Mayor McNamara opened the Nominations for Assistant Mayor.

23
24 *Councilor Wilkie put forth the NOMINATION of Councilor Below as Assistant Mayor.*

25
26 Hearing no further Nominations for Assistant Mayor, Mayor McNamara closed the nominations
27 and called for a vote.

28
29 **The Vote on the NOMINATION of Councilor Below as Assistant Mayor was approved (8-0-1).*
30 *Councilor Below abstained.*

31
32 **9. PUBLIC HEARING ITEM: NONE**

33
34 **10. NEW BUSINESS:**

35 **A. Adoption of Council Rules**

- 36
37 1. Included in agenda packet: Council Rules (*Pages 3-10*).

38
39 **ACTION:**

40 *Councilor Whittlesey MOVED to approve Chapter A191, Council Rules as written and presented in*
41 *the March 27, 2024 City Council agenda packet.*
42 *Seconded by Councilor Simon.*

43
44 **The Vote on MOTION was approved by those present (9-0).*

45
46 **11. MAYORAL APPOINTMENTS OF COUNCILORS TO BOARDS & COMMITTEES:**

47 Mayor McNamara made no appointments at this time. He will be speaking to all Councilors individually
48 about what their preferences are and is planning to have a vote on the appointments at the Council
49 Meeting in the future.

1 A list of all Boards/Commissions/Committees will be sent to Councilors for their review.

2
3 **12. NON-PUBLIC SESSION: NONE**

4
5 **13. ADJOURNMENT:**

6 *Councilor Heistad MOVED for adjournment.*

7 *Seconded by Whittlesey.*

8
9 **The Organizational meeting was adjourned at 7:08 PM.**

10
11 Respectfully submitted,

12 Dona E. Gibson

13 Recording Secretary

**Agenda
Lebanon City Council
April 3, 2024**

8. Appointments:

Appointments

Board/Committee Appointments as presented by City Clerk/Tax Collector Jaseya Ewing

- Pedestrian & Bicyclist Advisory Committee, Tim Gilbert (Regular Member)
- Lebanon Energy Advisory Committee, Sherry Boschert (Reappointment Regular Member)

Included in this Section:

1. Memo from City Clerk/Tax Collector Jaseya Ewing dated April 3, 2024.



Office of the City Clerk & Tax Collector
51 N. Park Street
Lebanon, NH 03766

MEMORANDUM

DATE: April 3, 2024
TO: The Honorable Mayor & City Council
FROM: Jaseya Ewing, City Clerk & Tax Collector
RE: **Appointments Proposed for Council Discussion/Action:**

If the Council wishes to proceed with action on the appointments below, a nomination should be made and voted on for each appointment.

Note: nominations do not need to be seconded.

Pedestrian and Bicyclist Advisory Committee

- **Tim Gilbert** – Appointment as a regular member of the Pedestrian and Bicyclist Advisory Committee for a three-year term. Interviewed by: Chris Simon

Term: 04/24-04/27

Lebanon Energy Advisory Committee

- **Sherry Boschert** – Reappointment as a regular member of the Lebanon Energy Advisory Committee for a two-year term.

Term: 04/24-04/26

From: [Kara Tracy](#)
To: [Kara Tracy](#)
Subject: FW: [EXTERNAL] Online Form Submission #9604 for Board Member Application
Date: Tuesday, March 5, 2024 9:52:28 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Board Member Application

Application Process

After submitting this application, you will be contacted and interviewed by one of our City Councilors. Your application will then go before the full Council at one of their regular meetings for consideration of appointment. If you have questions, please contact the City Clerk's Office at 603-448-3054 or cityclerk@lebanonnh.gov.

Basic Requirements

- *Lebanon/West Lebanon resident (except for those boards whose membership makeup includes non-resident)*
- *Willingness to learn*
- *Commitment to attend meetings*
- *Treat people fairly*
- *Consider the best interest of the community as a whole when making decisions*
- *Must have attended one meeting of the board that you wish to apply to within the last six months to observe the process and function of the board.*

(Section Break)

First Name	Tim
------------	-----

Last Name	Gilbert
-----------	---------

Physical Address	
------------------	--

City	
------	--

State	
-------	--

Zip Code	
----------	--

Is this your mailing address?	Yes
Home Phone Number	[REDACTED]
Work Number	<i>Field not completed.</i>
Email Address	[REDACTED]
How long have you resided in Lebanon?	35 years
(Section Break)	
Is this an application for re-appointment?	This application is not for re-appointment.
For which board, committee, or commission are you applying?	Pedestrian and Bicycle Advisory Committee
Other Committee	<i>Field not completed.</i>
Why would you like to serve?	I am very interested in bike recreation and commuting.
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	Long time cyclist and very familiar with the roads etc. in Lebanon.
Certification	I hereby certify that I meet the basic requirements for applying to a Lebanon board / committee.

Email not displaying correctly? [View it in your browser.](#)

Councilor Interview Report Form

Councilor Name: Chris Simon

Date of Interview: 3/17/24

Applicant Name: Tim Gilbert

Board(s) to Which Applied: Ped/Bike

☒ Regular Seat ☐ Alternate Seat

Has Applicant Attended Meeting of Board to Which Applying? ☒ Yes ☐ No

(If yes, indicate date of meeting.) Date: Unsure of date

Recommend Appointment: ☒ Yes ☐ No

☒ Regular Seat ☐ Alternate Seat

General Comments:

Vast knowledge of streets and roads as a bikeing member of the community.

(PLEASE NOTE: THIS FORM WILL BE INCLUDED IN THE AGENDA MATERIALS WHEN APPLICANT IS SCHEDULED TO APPEAR BEFORE THE CITY COUNCIL.)

Standard Questions for All Applicants:

1) What do you believe is the purpose of this Board/Committee?

Promoting safe bikeable roadways and trails.

2) Are you familiar with the meeting dates and time commitments of this Board/Committee?
Would you be available for additional meetings, site visits, or other official events when necessary?

Time availabilty should not be an issue.

3) Do you have any previous experience working with this type of Board/Committee, or in a related field, in this community or any other community?

Past President of the Uppervalley Mt. Bike Assoc.

4) Do you have any interest in attending educational presentations and seminars in order to further educate yourself relative to the work of this Board/Committee?

Sure

5) Do you anticipate that you would have to recuse yourself from more than an occasional meeting due to a conflict of interest (perceived or real) relating to your past or present employment, organizational membership, real estate holdings, family ties, or other reasons?

Yes

6) What do you think are the key challenges for this Board/Committee?

Creating more bike lanes and paths.

7) What do you think are the key opportunities for this Board/Committee?

Working with other groups to expand bike lanes and paths.

8) What would you like to see this Board/Committee accomplish in the next year?

Complete the Mascoma Greenway project.

Specific Questions for Applicants to Land-Use Boards:

Zoning Board of Adjustment:

1) Have you ever appeared before a zoning board, personally or through a representative?

2) Do you have any personal or professional knowledge or background in the area of zoning law?

3) Do you believe you can set aside your personal opinions and make impartial decisions based on the City's adopted Zoning Ordinance?

4) Zoning Board decisions can be controversial. The Board is bound by law to work within the current zoning regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Planning Board:

1) Have you ever appeared before a planning board, personally or through a representative?

2) Do you have any personal or professional knowledge or background in the area of planning law?

3) Do you believe you can set aside your personal opinions and make impartial decisions based on the City's adopted site plan and subdivision regulations, as well as the Zoning Ordinance?

4) Planning Board decisions can be controversial. The Board is bound by law to work within the current site plan and subdivision regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Conservation Commission:

- 1) Have you ever appeared before a conservation commission, personally or through a representative?

- 2) The Conservation Commission's advisory role in New Hampshire environmental permitting can be controversial. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

From: [Kara Tracy](#)
To: [Kara Tracy](#)
Subject: FW: [EXTERNAL] Online Form Submission #9745 for Board Member Application
Date: Tuesday, March 26, 2024 2:02:43 PM



Board Member Application

Application Process

After submitting this application, you will be contacted and interviewed by one of our City Councilors. Your application will then go before the full Council at one of their regular meetings for consideration of appointment. If you have questions, please contact the City Clerk's Office at 603-448-3054 or cityclerk@lebanonnh.gov.

Basic Requirements

- *Lebanon/West Lebanon resident (except for those boards whose membership makeup includes non-resident)*
- *Willingness to learn*
- *Commitment to attend meetings*
- *Treat people fairly*
- *Consider the best interest of the community as a whole when making decisions*
- *Must have attended one meeting of the board that you wish to apply to within the last six months to observe the process and function of the board.*

(Section Break)

First Name	Sherry
------------	--------

Last Name	Boschert
-----------	----------

Physical Address	
------------------	--

City	
------	--

State	
-------	--

Zip Code	
----------	--

Is this your mailing address?	Yes
Home Phone Number	
Work Number	Field not completed.
Email Address	
How long have you resided in Lebanon?	3 years
(Section Break)	
Is this an application for re-appointment?	This application is for re-appointment.
For which board, committee, or commission are you applying?	Lebanon Energy Advisory Committee
Other Committee	Field not completed.
Why would you like to serve?	I have been a member of LEAC and chair of its EV Subcommittee for at least two years. We're making great progress and there is much more to do.
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	Co-founder, Plug In America. Author, Plug-in Hybrids: The Cars That Will Recharge America. Organizer, 2023 Upper Valley EV Expo in Lebanon and Earth Day EV Expos in West Lebanon in 2023 and 2024. Very active participant in LEAC.
Certification	I hereby certify that I meet the basic requirements for applying to a Lebanon board / committee.

Email not displaying correctly? [View it in your browser.](#)

Agenda

Lebanon City Council

April 3, 2024

9. Public Hearing Items:

9.A – Amendment to the Zoning Ordinance: Text Amendment to Light Industrial (IND-L) District Requested by Cicotte Properties, LLC

A public hearing for the purpose of receiving public input and taking action on a proposed zoning amendment to amend Zoning Ordinance Section 303.2, Light Industrial (IND-L) District Table of Uses, to add “Vehicular sales” as a use allowed by Conditional Use Permit in the IND-L District.

The City Council scheduled this public hearing at its March 20, 2024 regular meeting. The public hearing was properly noticed in the *Valley News* on March 23, 2024 in accordance with City Code and State Law.

Background

On January 17, 2024, the City Council voted to move a proposed zoning amendment requested by Cicotte Properties, LLC through the amendment process outlined in Section 1000 of the Zoning Ordinance. The request by Cicotte Properties, LLC is to amend Section 303.2 of the Zoning Ordinance to add “auto sales and service” as a use allowed by Conditional Use Permit in the Light Industrial (IND-L) District.

Since the Council's action in January, the amendment has been reviewed by the City's legal counsel, the Planning Board, the Zoning Board of Adjustment, and the Conservation Commission. A summary of the proposed amendment is outlined in the attached memorandum from the Planning & Development Department. The City attorney's legal opinion and excerpts of the Planning Board and Zoning Board of Adjustment draft meeting minutes are attached. The Conservation Commission determined that the proposed amendment had no conservation impact and, therefore, declined to take a position for or against the proposal.

Since the proposed term of “auto sales and service” is not currently used or defined within the Zoning Ordinance, the Planning & Development Department and the City's attorney recommended that the term “Vehicular sales”, which includes accessory uses such as auto repair, be substituted instead.

Action:

If the Council decides to move forward, the following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby amends Section 303.2 of the Lebanon Zoning Ordinance to add “Vehicular sales” as a use allowed by Conditional Use Permit in the Light Industrial (IND-L) District, as presented in the April 3, 2024, City Council Agenda Packet.

Included In This Section:

1. Memorandum from Planning and Development Department staff, dated March 13, 2024, including associated attachments.
2. Notice of Public Hearing as Published in the March 23, 2024 Edition of the Valley News.



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Lebanon City Council

CC: Shaun Mulholland, City Manager
David Brooks, Deputy City Manager

FROM: Planning and Development Department Staff

RE: Request by Cicotte Properties, LLC, to Amend Section 303.2
of the Zoning Ordinance (IND-L District Table of Uses)

DATE: March 13, 2024

As set forth in a memo from Dan Nash dated January 2, 2024, Cicotte Properties, LLC, requests an amendment to Section 303.2 of the Zoning Ordinance to add “auto sales and service” as a use allowed by Conditional Use Permit in the Light Industrial (IND-L) District. Following the City Council’s decision on January 17, 2024 to move the proposal through the process outlined in Section 1000 of the Zoning Ordinance, the amendment has been reviewed by the City’s legal counsel, the Planning Board, the Zoning Board of Adjustment, and the Conservation Commission. Excerpts of the Planning Board and Zoning Board of Adjustment draft meeting minutes are attached. The Conservation Commission meeting minutes will be provided when available.

As noted previously, staff does not recommend that the Council adopt the proposed amendment at this time, nor does the Planning Board, as reflected in the attached meeting minutes. However, if the Council chooses to move forward, a public hearing will need to be scheduled. In that case, staff would also recommend, as noted previously, that the term “vehicular sales,” which is an existing use category in the Zoning Ordinance, be used in place of the petitioner’s proposed “auto sales and service” term.

ATTACHMENTS

- January 2, 2024 letter from Dan Nash, of Advanced Geomatics and Design, on behalf of Cicotte Properties, LLC, including attachment
- Legal opinion from Christine Johnston, Esq., dated February 26, 2024
- Excerpt of draft Planning Board meeting minutes from February 26, 2024
- Excerpt of draft Zoning Board of Adjustment meeting minutes from March 4, 2024



TO: NATHAN REICHERT, PLANNING & DEVELOPMENT DIRECTOR

FROM: DANIEL A. NASH, PE

RE: PROPOSED ZONING CHANGES

CC: SHAUN MULHOLLAND, CITY MANAGER

DATE: 2 JANUARY 2024

In reviewing the City Council agenda for 3Jan24, I observed what appears to have been an oversight. On item 10.G., the item includes no mention of the petitioned changes brought before the city council on 18Oct23. At that meeting, the council directed that the petitioned changes track with those prepared by planning staff, being routed to the Zoning and Planning Boards and the Conservation commission.

At the Planning Board meeting on 11Dec23, the petitioned requests were narrowed to include automobile sales and service as a Conditional Use in the RO-1 and IND-L zones. This refinement is acceptable to the petitioner. Attached is a transcription of the motion made by the Planning Board. I have attached recommended changes to the zoning tables for each zone. As I understand, the Zoning Board and Conservation Commission comments do not conflict with the Planning Board recommendation.

Can you please ensure that this information is sent to the City Council as supplemental information for Item 10.G. on their 3Jan24 meeting? Please let me know if you have any questions regarding this request.

M:\2023_projects\23-006\zoning\col_nr_zoningchanges_2jan24.docx

SECTION 303 LIGHT INDUSTRIAL DISTRICT (IND-L).

303.1 Purpose.

The purpose of the IND-L District is to provide land in appropriate locations for the establishment of manufacturing plants and other businesses of a similar nature, which improve employment opportunities and strengthen the economic base of the city. Such activities should not adversely affect the natural environment, adjacent residential areas or community facilities. A variety of manufacturing, distribution and service industries, and certain limited support activities are allowed in the district. However, in order to preserve appropriate land for such uses, residential uses and many types of commercial uses, such as retailing and **personal services**, are not allowed.

303.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
<u>Commercial/Non-Residential</u> 1. Airport 2. Bus terminal 3. Essential service 4. Equipment and machinery sales, rental and service 5. Group day care facility per Section 604 6. Health club 7. Light industry 8. Local government use 9. Outdoor storage per Section 303.4 (less than 20%) 10. Plumbing, electrical or carpentry shop 11. Publishing/printing 12. Research laboratory 13. Renewable energy system per Section 612 14. Retail product pickup 15. Retail showroom per Section 303.5 (less than 10%) 16. Trucking terminal 17. Warehouse	<u>Commercial/Non-Residential</u> 1. Care and treatment of animals 2. Contractor's yard 3. Educational facility, college/university 4. Educational facility, vocational school
	<u>Uses by Conditional Use Permit</u> (see Section 302.4)
<u>Planned Developments</u> 18. Industrial PUD per Section 501 19. Planned business park per Section 508	<u>Commercial/Non-Residential</u> 1. Car wash 2. Inpatient rehabilitation facility 3. Office 4. Outdoor storage per Section 303.4 (more than 20%) 5. Retail showroom per Section 303.5 (between 10-20%) 6. Auto sales and Service

Planning Board Motion

Extracted from meeting media for 11Dec2023 meeting

Motion is on media from time stamp 2:22:28 to 2:25:13.

Richard Ford Burley moved: the Planning Board would like to recommend that

a) it would seem to us to be acceptable that allowing auto sales and service in the IND-L and RO-1 zones only as a Conditional Use could be acceptable as a stop gap measure given the pending Route 120 neighborhood planning effort

b) we would like to strongly encourage matters like the present to be considered in the pending neighborhood planning effort and potential rezoning

c) we believe that Lot 63-4 should be left zoned as RL-3 pending further zoning and environmental review.

Seconded by Jeremy Rutter.

Vote 6-0 in favor.

February 26, 2024

Nathan Reichert, Director of Planning & Development
City of Lebanon
51 S. Park Street
Lebanon, NH 03766

**RE: Petitioned Zoning Amendment
Uses in IND-L District; Section 303.2**

Mr. Reichert:

This is a preliminary legal opinion as required by Section 1000.3(B)(2) of the Lebanon Zoning Ordinance concerning a proposed amendment to add “auto sales and service” as a Conditional Use in the IND-L District. I have reviewed the following documents in connection with this opinion:

- Request letter dated January 4, 2024 on behalf of Cicotte Properties
- Staff Memo to City Council dated January 9, 2024 regarding the requested amendment

The Ordinance requires this legal review to cover: (a) whether such amendments are within the authority delegated to the City under State law; (b) whether the form is appropriate; and (c) whether, from an administrative point of view, the amendments can be administered and enforced.

The proposal is simply to change the table of uses in Section 303.2 for the IND-L District. The appropriateness of particular uses in the IND-L District (or any zoning district) is a policy question. Consequently, my answer to the three questions in Section 1000.2.B(2) is “yes” and I discern no legal or administrative issues of concern with that request, except for the following recommendation: The petitioner’s proposed use category of “auto sales and service” is not a term currently found in the Zoning Ordinance. The Ordinance does currently include “vehicular sales” as a defined use category in other districts. As I understand it, “vehicular sales” includes both auto sales and all accessory uses thereto, including auto repair, and would accomplish the petitioner’s proposed goal without creating unnecessary confusion about whether there is any difference between the two terms. Therefore, I recommend that, if the amendment proceeds, the term “vehicular sales” be substituted for “auto sales and service.”

Please do not hesitate to contact me about any aspect of this.

Sincerely,



C. Christine (Fillmore) Johnston

~~2) and Easement Plan (2 of 2), (Sheets 8 and 9 of 47), prepared by Hoyle Tanner, dated January 2024, Project #21 point 906414.00 as contemplated by the City Council.~~

In approving, the Planning Board notes that an abutter has expressed concerns regarding the placement of the overhead wires, and the Council may wish to examine that aspect in greater detail.

The MOTION was seconded by Jeremy Rutter

Roll Call Vote:

Voting in Favor – Mr. Hill, Mr. Rutter, Mr. Ford Burley, Mr. Kennelly, Mr. Faunce, Ms. Romano

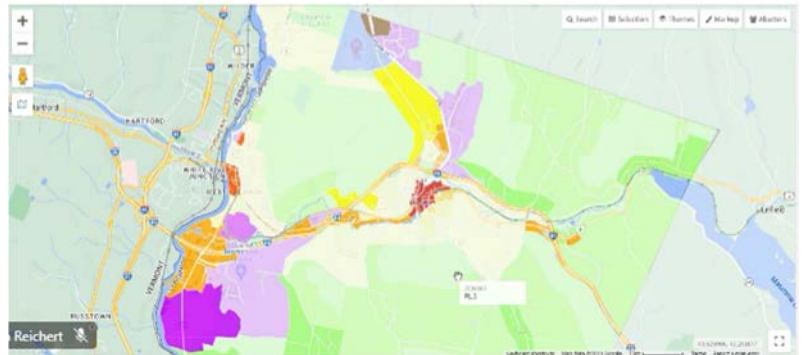
Voting Against – None

~~*The MOTION was approved (6-0).~~

4. STUDY ITEMS

A. Cicotte Properties, LLC - Proposal to amend Section 303.2 of the Zoning Ordinance to add "vehicular sales" as a Conditional Use in the Light Industrial (IND-L) District

Mr. Corwin gave an overview of how zoning changes are typically made. He said this is an unusual situation because it is a citizen petition for a zoning change. He noted this particular change – to add “vehicular sales” as a Conditional Use in the IND-L – was a late addition to a batch of amendments proposed together last fall, and staff recommended more discussion was needed on this amendment. He said all three Land Use Boards would be asked for comment. He asked the Planning Board members to evaluate the proposed amendment from a policy perspective and recommend to the City Council on whether it would approve or not.



The group reviewed the map, which showed all the light purple areas in the City that are zoned IND-L. Mr. Corwin said the areas include (but are not limited to) the Lebanon Airport, Airpark Road, Plaza Heights, Nova Nordisk, Timkin, Etna Road, Altaria, the Centerra Business Park, and parts of the River Park area.

Attorney Barry Schuster was present on behalf of the applicant. He said the applicant wants the amendment so it doesn't need to seek a variance every time it wants to make a change on its property.

The group discussed at length the Route 120 Study, which should be completed within the next six months, and the impacts it could have on many properties that are currently zoned IND-L. Planning Director Nate Reichert said the results of the study may lead to zoning changes that could impact a change made now for this applicant.

Mr. Schuster said he did not know what had happened since this was first proposed last fall that should change the way the Board would view this amendment. Mr. Rutter said things have changed, notably: the Cicotte Properties, LLC has purchased a large portion of land in the Route 120 area that could be made into one large car dealership; and the Planning Board has just been made aware of the status of the Route 120 Study, which could have a potentially huge impact on this decision.

The group agreed to wait until the Route 120 Study has been completed before considering this zoning change.

A MOTION was made by Richard Ford Burley that, whereas the Planning Board is concerned that the proposal could make a potentially over-broad change, given that it involves the entire IND-L district, and

whereas the results of the Route 120 study is expected to be available in less than six months' time, and

whereas that study will provide significant guidance as to the question of whether it is appropriate to allow vehicular sales by conditional use in properties zoned as light industrial, and

whereas there is no evidence of an immediate pressing need to change the zoning, the Planning Board therefore recommends that the City Council postpone any decisions on the matter until after the Planning Board has had the time to read and interpret the results of the Route 120 study.

The MOTION was seconded by Brandon Hill.

Roll Call Vote:

Voting in Favor – Mr. Hill, Mr. Rutter, Mr. Ford Burley, Mr. Kennelly, Mr. Faunce, Ms. Romano

Voting Against – None

****The MOTION was approved (6-0).***

~~B. Master Plan Chapter Update Process~~

~~Mr. Corwin said staff has been discussing the ideas that the Planning Board brought up at the last meeting regarding ways to make the Master Plan more usable. He said staff recommendations include condensing some chapters, tying some initiatives to Strategic Plan focus areas, etc. He said the discussion is on-going.~~

- ~~4. The character of the area will not be adversely affected. (§801.3.A.4)~~
5. **No** hazard or nuisance will be created. (§801.3.A.5)
6. The capacity of existing or planned community facilities and services (including streets and highways) **will not** be adversely impacted. (§801.3.A.6)
7. The granting of the Special Exception **will not** result in undue municipal expense. (§801.3.A.7)
8. The proposed Special Exception **will** be developed in a manner compatible with the spirit and intent of the ordinance. (§801.3.A.8)
9. The general welfare of the City **will** be protected. (§801.3.A.9)

III. DECISION

Now therefore be it resolved, the Lebanon Zoning Board of Adjustment, on this 4th day of March, 2024, hereby **GRANTS** the requested Special Exception pursuant to Section §703.1 and §801.3 of the Zoning Ordinance to permit the construction of an addition to the existing single-family dwelling, to be located +/- 4.5 feet from the right-side lot line where a right-yard setback of 15 feet is required, as set forth above and per testimony, plans, and materials submitted, and per the following conditions:

1. The applicant shall obtain a building permit, and shall comply with all applicable local, state, and federal regulations in the construction of the proposed addition.
2. Prior to the issuance of a Building Permit, the Applicant shall obtain applicable City of Lebanon Sewer Use Permit and Water Service Permits from the Lebanon Department of Public Works.

Seconded by Mr. Morris.

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

- D. Pinewood Village Condo Association and George Blike & Rebecca Johnson, 6 Oak Ridge Road #9 (Tax map 4, lot 23, Plot 906), zoned R-3:** Applicant requests a Variance to allow an addition to the existing condominium unit, to be located +/- 11 feet from the from lot line where 20 feet is required. **ZB2024-05-VAR**

This Hearing was postponed until the April meeting because adequate notice was not given to abutters.

4. STUDY ITEMS

- A. Cicotte Properties, LLC** – Proposal to amend Section 303.2 of the Zoning Ordinance to add “vehicular sales” as a Conditional Use in the Light Industrial (IND-L) District.

The Zoning Board is not to opine on the proposed amendment, or if this is a good idea or good policy or desirable. There was a request by the City Council that asked for comment if the proposed amendment is inconsistent with other sections of the ordinance, if it does not conflict with other sections of the ordinance, and if the meaning and effect is understood.

1 Although this is not a public hearing, members of the Public were present and were asked if
2 they would like to make comment.

3
4 Barry Schuster Ward 3, representing Cicotte Properties, spoke. He said an opinion from the
5 City Attorney is included in the packet and stated they are in support of the City Attorney's
6 opinion. He asked that the Board proceed according to that opinion. No one else from the
7 Public spoke.

8
9 Mr. Katz said he agrees with the opinion of the City Attorney, that a clearly defined use is
10 already in the ordinance, and to not have to interpret that meaning in the future, is a good
11 idea. The proponent, Cicotte Properties, and the City Attorney agree on the same terms and
12 definition.

13
14 There were two amendment proposals. Mr. Nash's earlier proposal refers to adding auto
15 sales and service which is not a defined use and category. Also, at the time his memo was
16 written, on January 2, it covered changes to two districts. The first RO1 District was
17 approved and added by City Council on February 7. The second proposal, by Cicotte
18 Properties, asks to have approval for this use in both Districts, the RO1 and the Industrial
19 Light District. City Council asked that the second proposed amendment be sent to various
20 Boards and the Zoning Board is asked to comment prior to City Council review.

21
22 Mr. Newlove said Cicotte Properties have come before the Board numerous times. He asked
23 if a car wash is part of this definition. The existing use code is related to a specific and
24 narrowly defined term. A car wash would not be included. The Board asked for
25 clarification, does vehicular sales include vehicular service. Mr. Reichert clarified the two
26 different terms. Although not part of this discussion, it is thought that vehicular repair could
27 be interpreted as an accessory use.

28
29 Mr. Katz stated the use is very limited. This is a term and use that would apply to anybody in
30 that district. They are being asked if the term vehicular sales is clear. The Board is being
31 asked to say if they understand the term vehicular sales. In the ordinance, vehicular repair is
32 different from vehicular sales.

33
34 ***Mr. Katz MOVED the proposed amendment is not inconsistent with other applicable***
35 ***sections of the ordinance, the proposed amendment does not conflict with other sections of***
36 ***the ordinance and the meaning and effect of the amendment is understood provided the***
37 ***term recommended by the City Council and endorsed by the proponent is utilized.***

38
39 ***Seconded by Mr. Newlove.***

40
41 ****The Vote on the Motion was (4-0).***

42
43 **5. STAFF COMMENTS**

44
45 None

46
47 **6. ADJOURNMENT**



LEBANON CITY COUNCIL
NOTICE OF PUBLIC HEARING
Wednesday, April 3, 2024 - 6:00pm
Council Chambers, City Hall or
REMOTE VIA VIRTUAL PLATFORM
LebanonNH.gov/LIVE

The Lebanon City Council will hold a public hearing on April 3, 2024, beginning at 6:00pm for the following:

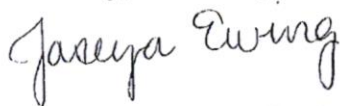
A. Proposed Amendment to the Zoning Ordinance for Council Adoption – Public hearing for the purpose of receiving public input and taking action on a proposed zoning amendment to amend Section 303.2 (IND-L District Table of Uses) to add “vehicular sales” as a use allowed by Conditional Use Permit in the Light Industrial (IND-L) District.

The April 3, 2024 City Council agenda packet and documents pertaining to the above-described public hearings will be available on the City’s website beginning March 29, 2024: LebanonNH.gov/Agendas

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.

NE-44052M

The foregoing notice was published in the *Valley News*, a newspaper of general circulation in the City of Lebanon, in accordance with the Code of the City of Lebanon on Saturday, March 23, 2024.



Jaseya Ewing, City Clerk

**Agenda
Lebanon City Council
April 3, 2024**

10. Old Business:

**10.A – Diversity, Equity and Inclusion Commission Recommendations
Relative to the Proposed Ceasefire Resolution**

Background

On February 6, 2024, the City Manager's Office received a request from a resident of the City to have the City Council consider adopting a proposed Ceasefire Resolution regarding the present conflict in the Gaza Strip between Israel and Hamas.

On February 21, 2024, the City Council took the following action as indicated in the minutes of that meeting:

“Councilor Wilkie Moved to amend the Motion to read as follows:

Councilor Wilkie Moved that it be resolved that the Lebanon City Council call for an immediate and permanent ceasefire in Israel and Palestine; and

BE IT FURTHER RESOLVED that the Council calls for the release of all hostages, both Palestinian and Israeli; and

BE IT FURTHER RESOLVED that the Council call for humanitarian aid to the people who need it.

MOVED ALSO, that the Lebanon City Council directs the DEI Commission, along with specific feedback regarding proposed changes, to examine the ceasefire resolution as presented in the February 21, 2024 packet, with a response to be provided to the Lebanon City Council no later than the end of March 2024.

Seconded by Councilor Sykes.”

This motion was passed by the City Council on this date.

On March 5, 2024, the DEI Commission received public input relative to the City Council's directive on the proposed resolution submitted on February 6, 2024. The following action was taken by the DEI Commission;

“A MOTION by Richard Ford Burley that the DEI Commission not recommend the passing of the resolution as it currently stands.

****The Motion is approved unanimously by roll-call vote.”***

On March 19, 2024, the DEI Commission acted on a new resolution that was developed by Richard Ford Burley. This new resolution, which is to be recommended to the City Council, was adopted by a vote of the DEI Commission (see attached).

Action

No Action is Required.

Included in this Section:

1. Draft City of Lebanon Resolution in Support of Peace in Gaza and Isreal, as recommended by the DEI Commission
2. City Council Agenda Request Form, CMCC-24-1, submitted on February 6, 2024

City of Lebanon Resolution in Support of Peace in Gaza and Israel [DRAFT]

WHEREAS the City Council of Lebanon (henceforth referred to as “the Council”) affirm the intrinsic value of human life and the human rights of all people regardless of race, skin color, national or ethnic origin, cultural group, language, gender identity or expression, sexual orientation, mental or physical ability, age, religious or political opinion or activity, economic status, immigration status, or housing status, in accordance with the Welcoming Lebanon Ordinance;¹ and

WHEREAS the Council recognizes that in a widely multicultural community, matters of international concern have local significance; and

WHEREAS the Council grieves the tragic losses of human lives, both Palestinian and Israeli, in devastating numbers in the last half a year alone, and expresses its deepest sympathies for the friends, families, and communities of those affected by the ongoing violence; and

WHEREAS there have been significant local effects arising from the ongoing violence, including a rise in antisemitism, Islamophobia, and anti-Arab and anti-Palestinian racism, leading to safety concerns and a reduced quality of life for members of the greater Lebanon community; and

WHEREAS the Council understands that many members of the greater Lebanon community have not felt their concerns to be heard by members of higher levels of government and are seeking recognition at the local level;

NOW, THEREFORE, BE IT RESOLVED that the Council affirms and echoes the City’s residents’ fervent desire for an immediate and permanent bilateral end to violence in the region, the safe return of all hostages and prisoners, Israeli and Palestinian, and for the development of a lasting peace based on a recognition of the universality of human rights and fundamental equality of all peoples; and

BE IT FURTHER RESOLVED that the Council affirms and echoes the City’s residents’ fervent desire for priority to be given to humanitarian aid, especially medical care and relief from hunger, to those most affected by the ongoing violence in the region, as well as an end to military aid; and

BE IT FURTHER RESOLVED that the Council condemns antisemitism, Islamophobia, and racism of all forms, at home and abroad, and will work to foster an environment in which all members of the greater Lebanon community can feel safe practicing and expressing their cultural and religious identities freely and in public, without fear of discrimination or harm; and

BE IT FURTHER RESOLVED that the Council will forward a copy of this resolution to our United States Congressional delegation, namely Representative Ann Kuster, Senator Jeanne

¹ “City of Lebanon, NH: Welcoming Lebanon.” City of Lebanon, NH Code, <https://ecode360.com/37303347>. Accessed 1 Feb. 2024.

Shaheen, and Senator Maggie Hassan, as an indication of the greater Lebanon community's deeply held desire for peace, abroad and at home.

Dated this ____ day of _____, 2024 at Lebanon, New Hampshire.



CMCC-24-1

City Council Agenda

Request Form

Status: Complete

Submitted On: 2/6/2024

Primary Location

LEBANON, NH 03766

Owner

CAMPBELL, DOUGLAS DAVID

/JOHNSON, SUSAN

KIRKPATRICK

LEBANON,

NH 03766

Applicant



Evelyn Campbell



Lebanon, NH 03766

Requester Information

Are you the requester?*

—

First Name*

Evelyn

Last Name*

Campbell

Are you a member of the Lebanon City Council?*

No

Address*

City/ Town*

Lebanon

Zip Code*

03766

Email*

Phone Number*

Agenda Request Date

Lebanon City Council meets on the first and third Wednesday of every month.

Preferred Date of Council Meeting to Consider Item*

December 6, 2023

Please keep in mind that if this request is for an agenda item and is not urgent in nature, a future date is preferable in order to allow proper time to prepare materials. (Council Rule, § A191-7. Agenda, last adopted 11/16/2022)

Is there a deadline associated with this item, if so, what is it?*

February 21, 2024

Agenda Request

Name of Agenda Topic Item*

Lebanon Ceasefire Resolution

Reason for topic item*

Israel's ongoing violent campaign against Palestine and Palestinians.

Specific questions related to topic item*

What should the city of Lebanon do to address the violence?

Proposed or possible action, motion, goal, and/or City Code or Policy amendment*

Call for an immediate and permanent ceasefire; and

Call for the release of all hostages, both Palestinian and Israeli; and

Urge the New Hampshire state government to pass a resolution of its own to call for a ceasefire in Israel and Palestine, and to urge President Biden and Congress to follow suit; and

Call directly on our congressional delegation, namely Congresswoman Ann Kuster, Senator Jeanne Shaheen, and Senator Maggie Hassan, to pressure Israel to adhere to an immediate and permanent ceasefire; and

Call on the U.S. federal government to both pressure Israel to lift its onerous restrictions on the border crossing at Rafah to allow the full capacity of humanitarian aid required to fully meet the food, water, shelter, and medical needs of the people of Gaza, and to resume funding to aid organizations including UNRWA; and

Call on the U.S. federal government to cease all funding and arming of Israel as a consequence of its government's well-documented crimes against humanity, both historically and in the recent case against Israel presented by South Africa in the International Court of Justice, and to reinvest this money in helping Palestinians rebuild their homes and critical infrastructure, such as schools, hospitals, roads, and water treatment, storage, and distribution infrastructure; and

Urge the U.S. federal government to reinvest funds that would otherwise have been appropriated as aid to Israel to address the needs of the American people, including the people of the City of Lebanon, through programs such as affordable housing and healthcare; and

Reinforce its commitment to the values of the City of Lebanon as stated in the Welcoming Lebanon Ordinance, and encourages Lebanon residents to feel safe in practicing and expressing their cultural and religious identity freely without fear of discrimination; and

Denounce the rise in anti-Palestinian racism, Islamophobia, and antisemitism within the United States as a result of Israel's genocide of Palestinians in Gaza; and

Print a copy of this resolution to be sent to the offices of all state and federal congressional representatives beholden to the residents of the city of Lebanon.

Supporting documentation requested for topic item

City of Lebanon Ceasefire Resolution

Documentation and/or references related to this topic (for example, website links, reports, etc.) supplied by the requester and for informational purposes only - not to be included in any agenda packet.

Resource links are included in the resolution document.

Other Information

Refer to linked google document in the supporting documentation section for the exact wording of the resolution.

Approval and Agenda Date

 **Approved as an Agenda Item**



 **Redirected to Open to the Public**



 **Staff Reviewer Signature***

 Shaun Mulholland
Feb 6, 2024

 **Date of Agenda When Topic Will Be Included***

02/21/2024

Attachments

CITY OF LEBANON CEASEFIRE RESOLUTION

- WHEREAS the Mayor of Lebanon and the City Council of Lebanon (henceforth referred to as “the Council”) affirm the human rights of all people regardless of race, skin color, national or ethnic origin, religious or political opinion or activity, and cultural group, in accordance with the Welcoming Lebanon Ordinance;¹ and
- WHEREAS violence anywhere, especially collective punishment against a particular group of people, gives rise to a dangerous logic of dehumanization that risks compromising the safety and dignity of residents of the City of Lebanon, and therefore must be opposed, both here in Lebanon and everywhere; and
- WHEREAS Palestinian people and those who speak in favor of Palestinian human rights have been targeted by racist, anti-Palestinian, and Islamophobic hate in this country, including three Palestinian students who were shot while speaking Arabic and wearing keffiyehs, a Palestinian cultural symbol, only an hour and a half away in Burlington, VT;² and
- WHEREAS many Americans are speaking up for Palestinian human rights, protesting in cities and towns across the country, including in various parts of New Hampshire, and the majority of Americans are calling for a ceasefire;³ and
- WHEREAS the Council grieves the tragic loss of human life, both Palestinian and Israeli; and
- WHEREAS Israel has launched an unprecedented violent campaign against the Palestinian people, resulting in a genocide⁴ of over 27,300 Palestinians in Gaza, including over 11,500 children, and more than 8,000 missing under the rubble at time of writing;⁵ and

¹ “City of Lebanon, NH: Welcoming Lebanon.” *City of Lebanon, NH Code*, <https://ecode360.com/37303347>. Accessed 1 Feb. 2024.

² Rathke, Lisa, and Holly Ramer. “3 Young Palestinian Men Were Shot in Vermont. Their Families Thought the US Would Be Safer.” *AP News*, 28 Nov. 2023, <https://apnews.com/article/shooting-burlington-vermont-palestinian-students-suspect-dd781a57f5d96cf591a1840db890b4ed>.

³ “Voters Want the U.S. to Call for a Permanent Ceasefire in Gaza and to Prioritize Diplomacy.” *Data For Progress*, 5 Dec. 2023, <https://www.dataforprogress.org/blog/2023/12/5/voters-want-the-us-to-call-for-a-permanent-ceasefire-in-gaza-and-to-prioritize-diplomacy>.

⁴ Segal, Raz. “A Textbook Case of Genocide.” *Jewish Currents*, 13 Oct. 2023, <https://jewishcurrents.org/a-textbook-case-of-genocide>.

⁵ AJLabs. “Israel-Gaza War in Maps and Charts: Live Tracker.” *Al Jazeera*, <https://www.aljazeera.com/news/longform/2023/10/9/israel-hamas-war-in-maps-and-charts-live-tracker>. Accessed 1 Feb. 2024.

- WHEREAS more than 1.9 million Palestinians in Gaza have been displaced, with many of their homes destroyed and no safe haven to turn to, and many are living without access to food, water, shelter, or other basic needs for themselves and their families, with the threat of death from starvation becoming a cruel reality;⁶ and
- WHEREAS the current proliferation of violence, including the October 7 Hamas attack and Israel's siege on the Gaza Strip, comes in the context of 75 years of displacement of the Palestinian people,⁷ 56 years of unlawful Israeli settlements in the West Bank (deemed as such by the United Nations Security Council in 2016),⁸ and 17 years of an Israeli-imposed blockade of Gaza;⁹ and
- WHEREAS the U.S. government continues to unconditionally fund Israel, supplying funds amounting to nearly \$300 billion (inflation adjusted) , including over \$200billion dollars in military funding, since 1948;¹⁰ and
- WHEREAS \$219,005 in annual military funding comes from federal taxes paid by residents of Lebanon;¹¹ and
- WHEREAS cities across the country are speaking up for what is right, calling for a full and lasting ceasefire, including Atlanta, Seattle, Minneapolis, Detroit, Oakland, San Francisco, Seattle, Portland, OR, Portland, ME, and Albany, exercising democratic process; and
- WHEREAS the majority of countries, 153 nations, around the world have voted in favor of a ceasefire as part of a United Nations General Assembly resolution;
- WHEREAS there is ample precedent for the Council to weigh in on global matters that also impact residents of Lebanon, for example the 2017 Resolution in Support of the Paris Climate

⁶ Bland, Archie. "The Numbers That Reveal the Extent of the Destruction in Gaza." *The Guardian*, 8 Jan. 2024. *The Guardian*, <https://www.theguardian.com/world/2024/jan/08/the-numbers-that-reveal-the-extent-of-the-destruction-in-gaza>.

⁷ UN News. *UN Marks 75 Years since Displacement of 700,000 Palestinians* | UN News. 15 May 2023, <https://news.un.org/en/story/2023/05/1136662>.

⁸ "Israel's Settlements Have No Legal Validity, Constitute Flagrant Violation of International Law, Security Council Reaffirms | UN Press." United Nations Meetings Coverage and Press Releases, 23 Dec. 2016, <https://press.un.org/en/2016/sc12657.doc.html>.

⁹ Monitor, Euro-Med Human Rights. "- Suffocation and Isolation 17 Years of Israeli Blockade on Gaza." Euro-Med Human Rights Monitor, <https://euromedmonitor.org/en/gaza> Accessed 1 Feb. 2024.

¹⁰ Masters, Jonathan, and Will Merrow. "U.S. Aid to Israel in Four Charts." Council on Foreign Relations, <https://www.cfr.org/article/us-aid-israel-four-charts>. Accessed 1 Feb. 2024.

¹¹ "U.S. Military Funding to Israel Map." US Campaign for Palestinian Rights, <https://uscpr.org/activist-resource/us-military-funding-to-israel-map/>. Accessed 1 Feb. 2024.

Agreement;¹² and in light of the ways Israel's bombardment of Gaza gravely exacerbates the climate crisis,¹³ which endangers residents of Lebanon;

- NOW, THEREFORE, BE IT RESOLVED that the Mayor of Lebanon and the Lebanon City Council call for an immediate and permanent ceasefire; and
- BE IT FURTHER RESOLVED that the Council calls for the release of all hostages, both Palestinian and Israeli; and
- BE IT FURTHER RESOLVED that the Council urges the New Hampshire state government to pass a resolution of its own to call for a ceasefire in Israel and Palestine, and to urge President Biden and Congress to follow suit; and
- BE IT FURTHER RESOLVED that the Council calls directly on our congressional delegation, namely Congresswoman Ann Kuster, Senator Jeanne Shaheen, and Senator Maggie Hassan, to pressure Israel to adhere to an immediate and permanent ceasefire; and
- BE IT FURTHER RESOLVED that the Council calls on the U.S. federal government to both pressure Israel to lift its onerous restrictions on the border crossing at Rafah to allow the full capacity of humanitarian aid required to fully meet the food, water, shelter, and medical needs of the people of Gaza, and to resume funding to aid organizations including UNRWA; and
- BE IT FURTHER RESOLVED that the Council calls on the U.S. federal government to cease all funding and arming of Israel as a consequence of its government's well-documented crimes against humanity, both historically¹⁴ and in the recent case against Israel presented by South Africa in the International Court of Justice,¹⁵ and to reinvest this money in helping Palestinians rebuild their homes and critical infrastructure, such as schools, hospitals, roads, and water treatment, storage, and distribution infrastructure; and
- BE IT FURTHER RESOLVED that the Council urges the U.S. federal government to reinvest funds that would otherwise have been appropriated as aid to Israel to address the needs of the

¹² A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEBANON, NEW HAMPSHIRE IN SUPPORT OF THE PARIS CLIMATE AGREEMENT. 10 Aug. 2017, <https://lebanonnh.gov/DocumentCenter/View/4542/Resolution-in-support-of-Paris-Agreement-PDF?bidId=>

¹³ Lakhani, Nina, and Nina Lakhani Climate justice reporter. "Emissions from Israel's War in Gaza Have 'Immense' Effect on Climate Catastrophe." The Guardian, 9 Jan. 2024. The Guardian, <https://www.theguardian.com/world/2024/jan/09/emissions-gaza-israel-hamas-war-climate-change>.

¹⁴ Israel: 50 Years of Occupation Abuses | Human Rights Watch. 4 June 2017, <https://www.hrw.org/news/2017/06/04/israel-50-years-occupation-abuses>.

¹⁵ Application Instituting Proceedings and Request for the Indication of Provisional Measures. International Court of Justice, 29 Dec. 2023, <https://www.icj-cij.org/sites/default/files/case-related/192/192-20231228-app-01-00-en.pdf>.

American people, including the people of the City of Lebanon, through programs such as affordable housing and healthcare; and

- BE IT FURTHER RESOLVED that the Council reinforces its commitment to the values of the City of Lebanon as stated in the Welcoming Lebanon Ordinance, and encourages Lebanon residents to feel safe in practicing and expressing their cultural and religious identity freely without fear of discrimination; and
- BE IT FURTHER RESOLVED that the Council denounces the rise in anti-Palestinian racism, Islamophobia, and antisemitism within the United States as a result of Israel's genocide of Palestinians in Gaza; and
- BE IT FURTHER RESOLVED that a copy of this resolution will be printed and sent to the offices of all state and federal congressional representatives beholden to the residents of the city of Lebanon.

Signatories (273):

Name	Personal Statement	Relationship to Lebanon
Abdul Rahman Latif		Lebanon Resident
Muhammet Pakdil		Lebanon Resident
Humaira Qudsi		Lebanon Resident
Aman Baig	Ceasefire now!	Lebanon Resident
Aman Abera		Lebanon Resident
Rachel Kent		Lebanon Resident
Evelyn Campbell		Lebanon Resident, Upper Valley Resident, Work in Lebanon, A friend, family member, or loved one lives in Lebanon
Laila Volle	The dehumanization and ethnic cleansing has repercussions at home. I have the right to speak Arabic to my children without fearing someone is going to shoot us like they shot those students in Burlington. The increase in anti-MENA and Islamophobic hate crimes must be met with a vocal and resounding response that we are all citizens and have the right to dignity and safety. My tax dollars do not have my consent to be murdering kids.	Lebanon Resident

Rory Gawler		Lebanon Resident
Payton Stewart		Lebanon Resident, Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Elizabeth Larsen		Lebanon Resident
Eduardo Calagua		Lebanon Resident
Evan Cross	Free Gaza!	Lebanon Resident
Drew Stoner	Every day 10 Palestinian children have their limbs amputated without anesthesia. What we are witnessing (and the US government is supporting) is savage and brutal killings over land that belongs to Palestinians.	Lebanon Resident
Dax Volle		Lebanon Resident, Work in Lebanon
Maria Solis Kennedy	Please join the nearly 70% of Americans who support an end to Israel's genocidal military campaign in Gaza that has killed almost 30,000 Palestinians. Lebanon residents stand against war and genocide and demand an immediate, permanent ceasefire.	Lebanon Resident
Sabiya Ahamed	Because we must call for an immediate ceasefire. It is the only way to prevent further loss of life. Other cities around the US have shown that it is important for individual cities to take a stand, especially when our federal government does nothing but continue to fund this genocide.	Lebanon Resident
Ahlam Abuawad	I have family living in Gaza that are in constant fear for their lives. There is no reason why innocent civilians should be going through this. If it were your family would you allow these atrocities to continue?	Lebanon Resident, Work in Lebanon
Elora Greiner		Lebanon Resident
Ieyre Notario Barandiaran		Lebanon Resident
Laura Sokoloski		Lebanon Resident
Graham		Lebanon Resident

Sarah Austin	What is happening in Gaza right now is a genocide. The United States is sponsoring it using our tax dollars, to kill innocent people! Palestinian homes, hospitals, schools and places of safety have been targeted. How many more people have to die?! Permanent ceasefire now!	Lebanon Resident
Liz Heckman		Lebanon Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc)
Christian Axness		Lebanon Resident
Maeve Littau	Genocide is bad	Lebanon Resident
Michael Schedin	We must refuse to be complicit with an active genocide	Lebanon Resident, Work in Lebanon, A friend, family member, or loved one lives in Lebanon
Joy Conley		Lebanon Resident
Elizabeth Keeley		Lebanon Resident
Grace Turner		Lebanon Resident, Upper Valley Resident
Kellen Appleton		Lebanon Resident
Abigail Bordelon		Lebanon Resident
Brittany Stark		Lebanon Resident
Alina Dracheva		Lebanon Resident
Kathleen Beckett		Lebanon Resident
Graham Edwards		Lebanon Resident
Nanci Stone		Lebanon Resident
Herminio Delgado		Lebanon Resident
Wendy Collins	A ceasefire in Gaza is vital to the survival of the Palestinian people and to the well-being of the entire world. War causes severe harm to our environment, and our climate, which are already in rough shape. Every community has a role to play in defending human rights and our shared future.	Lebanon Resident
Nicole Lyons		Lebanon Resident, Work in Lebanon
Alex Meredith		Lebanon Resident, Upper Valley Resident, Work in Lebanon
Clifford Cary	Indiscriminate killing of Palestinian women and children is not an acceptable use of our tax money.	Lebanon Resident

Chelsea McDowell		Lebanon Resident
Kiran Mirpuri	I believe that all people have the right to live their life peacefully without any fear of another country taking that away from them. We are currently seeing this happen in Gaza and we cannot allow it to continue. Our money should not be used to cause harm elsewhere rather it should be used to rebuild our own communities here.	Lebanon Resident
Judith Bush		Lebanon Resident
Beata Randall		Lebanon Resident
Angela Zhang		Lebanon Resident, Upper Valley Resident, Work in Lebanon
Max Seidman		Lebanon Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Natalie Cantlin		Lebanon Resident
Erin M Maher		Lebanon Resident
Andrew Daubenspeck		Lebanon Resident
William Fontaine	Does Israel have the right to defend itself? Yes. Does Israel have the right to indiscriminately kill thousands upon thousands of women, children, and innocent civilians in pursuit of Hamas? No. The citizens of our city should not have to fund this strategy of leveling Gaza and its people. Israel has ignored the pleas of President Biden and the State Department to end the slaughter. It's time to stop funding the war on Gaza.	Lebanon Resident
Meg Newman		Lebanon Resident
Sherry Boschert		Lebanon Resident
Bob Schultz	I have a Palestinian friend who's lost 2 aunts and 5 cousins in Israel/Palestine; now he has to work (tho' he's a law student) on up-rooting his Palestinian parents to bring them to safety in the U.S. We must speak up about the cruelty of the Netanyahu government. The Israelis and Palestinians could live side by side if the Palestinians were supported in creating a viable	Lebanon Resident

	government/country of their own!	
Gerry Gatz		Lebanon Resident
Dr. Golnar Nikpour		Lebanon Resident
Alice Truong		Lebanon Resident
Lauren Giampietro		Lebanon Resident
Dave Lindberg		Lebanon Resident
Robbie Boody	It's important to stand against genocide wherever and however possible.	Lebanon Resident
Jorge Cuellar	"Nothing matters to me as much as human life." - Saint Oscar Romero	Lebanon Resident, Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Elizabeth Cho		Lebanon Resident
Susan Kellogg	War is not the answer	Lebanon Resident
Raelene Leos		Lebanon Resident
Paul Razook		Lebanon Resident
Jessa Hill		Lebanon Resident, Upper Valley Resident
Tuna Akmehmet		Lebanon Resident, Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Sophie Williams		Lebanon Resident
Julia Bonzanini		Lebanon Resident
Margaret Hubble		Lebanon Resident
Alyssa Brines	As a Lebanon resident, I'm calling on my representatives to stand with Palestine against Israeli genocide. The world is watching, and so are your constituents.	Lebanon Resident
Margaret Nichols		Lebanon Resident
Carolyn Daut		Lebanon Resident, Work in Lebanon
Jesse Boggis		Lebanon Resident
Marissa Torrss		Lebanon Resident
phillip mulligan	Voices for justice are stronger together. Our community can collectively call for a Cease Fire Now and send a message to those	Lebanon Resident

	responsible for the atrocities in Gaza that we demand an end to this mass killing and destruction.	
Taniya Arora		Lebanon Resident, Work in Lebanon, A friend, family member, or loved one lives in Lebanon
Susan Morse	Susan Morse There has been enough killing. US tactics and involvement have not been helpful in coming to any resolution other than more needless deaths and it is time to move towards negotiation other than using weapons to solve the issue.	Lebanon Resident
Sally Shoop		Lebanon Resident
Emma Henderson	The People of Lebanon support a ceasefire movement and demand our government listen to the people and stop the support of genocide.	Lebanon Resident, Upper Valley Resident, Work in Lebanon

Lebanon Residents: 81

Name	Personal Statement	Relationship to Lebanon
Emily Simpson	An immediate and permanent ceasefire is the bare minimum on the path to justice. We should leverage every ounce of power that we have to stop the indiscriminate mass killing of Palestinians in Gaza. As an educator in the Lebanon community, it brings me such shame that the tax dollars I earn teaching children here are used to facilitate the destruction of schools and human life abroad.	Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc)
Mohammed Kamel		Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Christian Hammond		Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Sanam Roder-DeWan		Upper Valley Resident, Work in Lebanon

Omar Sajjad		Work in Lebanon
Daisy Goodman	Since October 7th over 30,000 people have been murdered in Gaza, over half of them children. This is a blatant violation of international law. The majority of the people in the United States also support immediate cease fire, the US is funding the Israeli war machine with billions of dollars of US taxpayer dollars against our will. This resolution and those in many cities and towns across the nation are demanding that the US exert the power it has as a major funder to force Israel to stop its genocidal assault on Gaza.	Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon, Member of Jewish Voice for Peace
Kristina Wolff	The US must stop supporting Netanyahu. the Israeli government, settlers and all others who are engaged in genocide of the Palestinian people. This includes the decimation of Palestinian communities, essential services, intellectual and cultural materials which serves as a means to eliminate all Palestinians and their vibrant culture. The US is violating international laws and agreements by arming and supporting Netanyahu's government and all Israeli military/security forces. This support of Netanyahu and his government must end now. The borders must be opened for aid to reach the people in Gaza. It is time for this horror to end. The city of Lebanon must publicly support a ceasefire now and eliminate all finances supporting the war effort in Gaza. Kristina Wolff, US Veteran, member Veterans for Peace	Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Gina Capossela	Military actions by Israel are in violation of the Geneva Conventions. I do not want US taxpayer money to support this. Israelis deserve security but NOT at the expense of innocent Palestinian civilian lives and well-being.	Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Jamme Morency		Upper Valley Resident, Work in Lebanon, Frequently visit (for

		shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Shelby Armitage		Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc)
Spencer	Mass killing of civilians to a scale 20x the Oct 7th attack. Inflammatory statements from members of Israel's gov and military imply an ulterior motive beyond hostage rescue/self defense. Destruction of living conditions in Gaza. We need to hold our allies to higher standards than terrorist groups.	Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Clare Swanson	We cannot allow our tax revenue to be used to fund genocide.	Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc)
Kirsten Elin	Tired of all the people (children especially) being indiscriminately killed.	Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Isabel Kotlowitz		Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Donald Kollisch		Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc)
Erin McCabe	To distance ourselves from this conflict and especially the peoples of Palestine is an unhelpful avoidance strategy, and is the beginning of dehumanization. So much of this conflict (present and past) has been about dehumanizing the peoples of Palestine as being less than, undeserving, different, even recently referred to as being "animals" by Netanyahu and his army. This is unacceptable for our nation and our government, founded on "justice for all" to sit back and allow this to continue, now over 4 months into this battle, we continue to demand a ceasefire. I understand there are many negotiations taking place, and we	Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon

	cannot fully understand both sides since we do not live in Palestine, Gaza, Israel or the Middle East, but we also can speak up about where our tax money is being used and we can, and must, give voice to those whose voices (screams, cries, pleas) are falling on numbed and traumatized ears.	
Anita Hayden		Work in Lebanon
Gregory Stoloski	It is important that residents of towns all over this nation make their voices heard to leaders who thus far have been silent to the pleas of oppressed persons. If they won't act on their cries they need to act on our demands to stop spending our nations tax dollars on a foreign nations genocide.	Upper Valley Resident, Work in Lebanon
Jason Archambeault		Business owner in Lebanon
Uma Alagappan		Work in Lebanon
Timothy O'Hara	Israel is carrying out a genocide and ethnic cleansing of Palestinians in Gaza as we speak, with the full financial, military and diplomatic support of our federal government. Conscience demands we do everything in our power to end our support for these atrocities.	Upper Valley Resident, Work in Lebanon
Lillian Schnack	No one. Absolutely no one should ever have to experience their baby, son, husband, wife, aunt, niece, friend and family member murdered in the masses. No one. Absolutely no one should ever have to experience their home, job, park, favorite restaurant, family members house being blown up either. This genocide has gone on for too long. There needs to be an end to the killings NOW!!!	Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Angela Errico	30,000 deaths are on our hands as taxpayers and my US members of Congress have done nothing to stop it	Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Joshua Matthews		Upper Valley Resident, Work in Lebanon
Elizabeth Hastings		Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend,

		family member, or loved one lives in Lebanon
Beatrice Couser		Work in Lebanon

Lebanon Workers: 26

Name	Personal Message	Relationship to Lebanon
Danny Keane		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Halima		A friend, family member, or loved one lives in Lebanon
Afaf Wajid		Upper Valley Resident
Emma Percy		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Emily Churco		A friend, family member, or loved one lives in Lebanon
Elise Boyle	No Justice, No Peace. Free Palestine!	Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Nancy Welch		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Duncan Nichols	The destruction of Palestinian society in Gaza and the West Bank is occurring with the aid of our tax dollars. We must not let this situation go on. It is an emergency, and like a flood or fire in our own town, we must not stand idly by without taking action.	Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Lucie Rathgeb	The Palestinian people deserve freedom from this genocidal campaign and the colonial oppression that Israel has subjected them to for over 75 years.	Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Ashley Smith	Israel's genocidal war must be stopped now.	A friend, family member, or loved one lives in Lebanon
Bench Ansfield		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon

Jeff Duhamel		A friend, family member, or loved one lives in Lebanon
Farrar Ransom		Upper Valley Resident
Ella M		Upper Valley Resident
Solange Acosta Rodriguez		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Aileen Eagleton		A friend, family member, or loved one lives in Lebanon
Antonia Dufort	It is our moral obligation to call for an end to this, to call for a ceasefire. Over 27,000 lives have been lost, 11,000 of those being children. Gaza faces famine and this is a mass disabling event in a place where the medical system has collapsed. The ICJ and a US federal court have ruled this is a plausible case of genocide. Many cities and towns around the country already passed ceasefire resolutions. We must do the same.	Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Madison Egan		No affiliation
Bradley Conway	Free Palestine	proud nh resident
Teagan Atwater		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Yussra Ebrahim	Standing against oppression is the bare minimum, especially when this sadistic genocide is being funded using our taxes.	My family used to live in West Lebanon!
Noor Boukari		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Kath Kane		Upper Valley Resident
Fadia Fayad Williamson	I do NOT support/consent that taxpayer tax dollars should be spent supporting the Genocide that includes military support to Israel. I support the innocent victims of this political fiasco. Thank you	Upper Valley Resident, Born in Beirut, Lebanon
Carlene Kucharczyk		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved

		one lives in Lebanon
Yeonsoo Kim	We need peace for everyone.	Upper Valley Resident
Ella Goetze		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Catherine Golubovsky		Upper Valley Resident
Tara Tomlinson		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Bobbie Surott Kimberly		Frequently visit (for shopping, worship, etc)
Veronica Ashcroft	I don't like children being murdered	Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Christopher Helali	The current war on the Palestinian people and ongoing genocide are not a far away "complex" issue. This is absolutely a local issue. Our tax dollars provide military and economic support for Israel, a declared apartheid state by many nations and human rights organizations. Our funding directly supports the ongoing war crimes and human rights abuses committed by Israel against the Palestinian people. We must use our power here at the local level to call for a ceasefire, an end to the illegal occupation of Palestinian land, and the complete dismantling of the apartheid system in Israel.	Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Ulrike von Moltke	I wished ALL the country's cities would have a Ceasefire Resolution, our government should know how unpopular its genocidal policy really is.	Upper Valley Resident, A friend, family member, or loved one lives in Lebanon
Hayden Smith		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Saleh Abuawad	The US will be found to be complicit in the genocide if we don't stop supporting it	A friend, family member, or loved one lives in Lebanon
Steaven Mercedes		No affiliation
Maggie Li		A friend, family member, or loved one lives in Lebanon
Lura Pascale		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A

		friend, family member, or loved one lives in Lebanon
Maya Spaur		A friend, family member, or loved one lives in Lebanon
Adam Madonia		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Xavier		Dartmouth student
Mai Tran		A friend, family member, or loved one lives in Lebanon
Douglas Smith		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Waskar Cruz		No affiliation
Brennan Rhodes-Bratton	I don't believe in violence in all its forms.	A friend, family member, or loved one lives in Lebanon
Lucy Danger	I go through Lebanon frequently and many people in my life live there. The Upper Valley is a small and close community and it is important to me that this part of my community is on the right side of history and in support of Palestinian liberation.	Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
SHARON RACUSIN	We need grassroots support from the most local levels of government to say no more murder, genocide and ethnic cleansing.	Upper Valley Resident
Francine Miller	We must stop the US support for Israeli genocide of the Palestinian people.	Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Briane Pinkson		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Noelle Warinsky		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
John Roe		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Lauren B		Frequently visit (for shopping, worship, etc)
Rex		Upper Valley Resident, A friend,

		family member, or loved one lives in Lebanon
Emily Flanagan	Free the Middle East from United States occupation!!!!	A friend, family member, or loved one lives in Lebanon
Ivan Bernal		A friend, family member, or loved one lives in Lebanon
Janina Cuneo		Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Grace White		No affiliation
Cooper Dodds		Lived in Lebanon for 4 years
Ana Chambers		Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon, Former and future resident
Olivia Audsley	Our worlds are one - we need to stand strong in our values of freedom and justice.	A friend, family member, or loved one lives in Lebanon, former resident
Jennifer Sparks		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Lara Hoffer	Far far more consideration must be taken for human lives lost and destroyed in any usage of US weapons and tax dollars.	Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Calvin George	Tens of thousands have been slaughtered. This is the least we can do.	Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Joe Fausey	The genocide must end.	Upper Valley Resident
Rachel Abshire	I do not support genocide.	Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Emily Friedman	I am a Jewish woman living in the Upper Valley and the descendent of Holocaust survivors. For that reason, I cannot sit by and watch thousands of innocent people die at the hands of a violent state. I emphatically support a ceasefire. I encourage Lebanon to take this step towards recognizing the rights of the Palestinian people and acknowledging	Upper Valley Resident, Frequently visit (for shopping, worship, etc)

	American complicity in their oppression.	
Lexi Lowell		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Sami Saydjari	I object to war crimes committed in our name.	Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Kathleen Shepherd		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Carol Weingeist		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Jill Wilcox		Upper Valley Resident
Geoffrey Gardner		Frequently visit (for shopping, worship, etc)
Nataliya Braginsky	As a Jewish resident of the Upper Valley, I was taught never again means never again to anyone. I would like to see Lebanon and the entire Upper Valley that I call home, stand with me in this conviction — on the right side of justice and peace.	Upper Valley Resident
Susanna Lewis		Upper Valley Resident
Rachel D'Andrea		Upper Valley Resident
Ashley Laveriano		Upper Valley Resident
Claire Plump		A friend, family member, or loved one lives in Lebanon
Lee Blaisdell		No affiliation
Mingwei Huang		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Udi Greenberg		Upper Valley Resident
Melissa Zeiger		Upper Valley Resident
Naomi malin-stremlau		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Joel lazar		Upper Valley Resident
Fatemah Ebrahim		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Paul Yang		No affiliation

Leah Carrier		Upper Valley Resident
Hayden Elrafei		Upper Valley Resident, Dartmouth Undergraduate
Ash Chinta		Upper Valley Resident
Hosaena Tilahun		Upper Valley Resident
Kevin Engel		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Connor Schafer		Upper Valley Resident
Griselda Chavez		Upper Valley Resident
Abigail de Leon		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Marguerite Cawley		Upper Valley Resident
Daniel Lin		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Arden Borrup		Upper Valley Resident
Simon Lamontagne		Upper Valley Resident
Emma Nguyen		Upper Valley Resident
Barbara Lazar		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Ramsey Alsheikh		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Samy Amkieh	It's ridiculous that our public funds and tacit political support is endorsing the ongoing ethnic cleansing and annihilation campaign Israel is undertaking in Gaza and the West Bank! Lebanon needs to cut all ties and ensure that it takes a political stand on this issue! Municipal governance is not disconnected from our federal and state government policies!	Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc)
Jordan Narrol		Upper Valley Resident
Deborah Jung		Upper Valley Resident
Ahmad Herzallah		Upper Valley Resident
May Colgan		Upper Valley Resident
Miriam Garcia		Frequently visit (for shopping, worship, etc)

Yasmine Kanaan		Upper Valley Resident
Jackie Wright		Upper Valley Resident
Ali Osman	It is a brutal reality that every morning, Palestinians wake up to the sound of relentless Israeli shelling. It is a brutal reality that every morning, Palestinians don't wake up because of the metal death raining from the sky. I wake up, every morning, never having to fear for my life, or for that of my family. Every person on this Earth must enjoy this right, not just the lucky ones living in the West.	Upper Valley Resident, Work in Lebanon, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Ahmed Aslam Chaudhry		Upper Valley Resident
Majid Hejazi	Free Palestine!	Upper Valley Resident, A friend, family member, or loved one lives in Lebanon
Peyton Jackson		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Aina Nadeem		Frequently visit (for shopping, worship, etc)
Samantha Newman		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Donovan Mitri		A friend, family member, or loved one lives in Lebanon
Daisy nguyen		No affiliation
Joe Fausey	People are dying every day.	Upper Valley Resident
Anastasia Johnson		Upper Valley Resident
Abby Burgess	FROM TURTLE ISLAND TO PALESTINE, COLONIZATION IS A CRIME	Frequently visit (for shopping, worship, etc)
Chloe Cordasco		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Ivie Aiwuyo		Upper Valley Resident
Ora cullen		Upper Valley Resident
Monique Flores Ulysses		Frequently visit (for shopping, worship, etc), Dartmouth employee
Fadia Williamson		Upper Valley Resident,
Fadia Williamson		Upper Valley Resident,
Serena Suson		Upper Valley Resident

Katie McCabe		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Jenna Downard		No affiliation
lydia yi		No affiliation
Abigail Yohannes	I support the resolution in order to help stop the current genocide in Gaza and the brutal slaughter of innocent men, women, and children.	Dartmouth undergraduate student
Hadiye Nisa Kuvvet		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Maya Beauvineau	Funding genocide is atrocious and makes us part of the crime.	Upper Valley Resident
Mary Schwering		A friend, family member, or loved one lives in Lebanon, No affiliation
Aanchal Saraf		Upper Valley Resident
Alena Andrews	We must act with urgency and love to support the people of Palestine as if our own freedom and safety depend on it, because they do. Ceasefire now!	Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Molly Reichmuth		Upper Valley Resident
Christine Alves		Former upper valley resident
Angela Galik	Israeli aggression in Palestine has caused a humanitarian crisis of staggering proportions. With so many dire needs going unmet both here in the US and abroad, I object in the strongest possible terms to a single dollar of my taxes being used to support these genocidal acts.	Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Erin Kilkenny		No affiliation
Isabel Kotlowitz		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Ben Stevenson	People in Gaza are suffering needlessly. The US is complicit in the violence because of our opposition to a ceasefire. Across the country, we must stand up for peace and humanity and support an immediate ceasefire.	Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Megan Fabriquer		No affiliation
Michelle Barrow		Upper Valley Resident, Frequently

		visit (for shopping, worship, etc)
Kaija Celestin		Former Lebanon resident, Upper Valley resident
Luka Faccini		Upper Valley Resident
Tiffany Chang	I stand against genocide and the ongoing settler colonial and imperialist occupation of Palestinian land.	Upper Valley Resident
Amy Conaway		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Ana Altamirano	We shouldn't support genocide.	Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Andy Lindquist		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Madeline Jones		No affiliation
Carina Gressitt		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon, used to live in Lebanon
Ella Grim		Upper Valley Resident, Frequently visit (for shopping, worship, etc)
Leo Myers		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Jamie Putnam		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Raegan Boettcher		Upper Valley Resident
Nelson Barabas	At the time of writing 29,708 people have been killed in Israel's genocide against Gaza, including 12,300 children. How many more civilians will the Lebanon City Council let die before calling for a ceasefire? Not condemning Israeli war crimes is complicity is them.	Upper Valley Resident

Andie Errico	Ceasefire now!	A friend, family member, or loved one lives in Lebanon
Grace Caplan		Upper Valley Resident
Meghan McDonald		A friend, family member, or loved one lives in Lebanon, Longtime former Upper Valley resident
Aseel najib		Upper Valley Resident
Bill Zheng		Upper Valley Resident
Angela Shang		Upper Valley Resident
Fadia Williamson		Upper Valley Resident, I am Lebanese American.
Stephen Handley	War is not the answer.	Upper Valley Resident
Yumi Atteberry	What is going on in Gaza is genocide and it needs to stop.	Upper Valley Resident
Elliot Lee		Upper Valley Resident, Frequently visit (for shopping, worship, etc), A friend, family member, or loved one lives in Lebanon
Frederik Crawford		Upper Valley Resident, Frequently visit (for shopping, worship, etc)

Other: 166

**Agenda
Lebanon City Council
April 3, 2024**

11. New Business:

11.A – Vote to Make Public Previously Sealed Non-Public Session Minutes

Background

House Bill 321 was approved by the legislature on August 4, 2023, and became effective on October 3, 2023. This legislation establishes a timeframe for the release of previously sealed, non-public minutes for all municipalities in the State.

While adequate time has been provided by the State to address the issue, City Administration has made the choice to be proactive and will be working over the next several months to cull through previously sealed, non-public minutes to determine their continued sensitivity in relation to the protected categories outlined in RSA 91-A. For each review session, a list of minutes that are determined to be available for release will be provided to the Council for a vote to release to the public.

91-A:3.II(a) – Dismissal, Promotion or Compensation of a Public Employee

February 7, 1979	April 20, 1979
July 5, 1979	April 16, 1980
August 19, 1981	April 21, 1982
June 30, 1982	September 15, 1982
December 15, 1982	October 17, 1984
January 16, 1985	April 13, 1988
November 16, 1988	December 21, 1988
January 18, 1989	January 31, 1996
April 3, 1996	February 7, 1997

91-A:3.II(d) – Acquisition, Sale, or Lease of Property

April 5, 1972	June 18, 1980
July 16, 1980	November 19, 1980
August 3, 1983	August 17, 1983
October 19, 1983	June 20, 1984
July 3, 1984	May 1, 1985

**91-A:2.I(a);(b) – Strategy or Negotiations with Respect to Collective Bargaining;
Consultation with Legal Counsel**

December 18, 1996

Action

The following motion is offered for Council consideration:

MOVED, that the Lebanon City Council hereby unseals and makes available to the public all City Council non-public session minutes as listed and provided in the April 3, 2024, City Council Agenda Packet.

Included in this Section:

1. Chapter 189 HB 321-FN-LOCAL (Final Version) – Approved: August 4, 2023; Effective Date: October 3, 2023

CHAPTER 189
HB 321-FN-LOCAL - FINAL VERSION

05/18/2023 1729s

2023 SESSION

23-0423

05/04

HOUSE BILL ***321-FN-LOCAL***

AN ACT relative to minutes from nonpublic sessions under the right to know law.

SPONSORS: Rep. Yokela, Rock. 32; Rep. Ammon, Hills. 42; Rep. Verville, Rock. 2; Rep. Alexander Jr., Hills. 29; Rep. Ulery, Hills. 13; Rep. McWilliams, Merr. 30; Sen. Gannon, Dist 23

COMMITTEE: Judiciary

ANALYSIS

This bill requires public bodies to review meeting minutes withheld from public disclosure at least every 10 years to determine whether they should continue to be withheld. Minutes not reviewed after 10 years shall be made public.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struck through]~~.

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

05/18/2023 1729s 23-0423

05/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to minutes from nonpublic sessions under the right to know law.

Be it Enacted by the Senate and House of Representatives in General Court convened:

189:1 New Paragraph; Minutes from Nonpublic Session. Amend RSA 91-A:3 by inserting after paragraph III the following new paragraph:

IV.(a) A public body or agency may adopt procedures to review minutes of meetings held in nonpublic session and to determine by majority vote whether the circumstances that justified keeping meeting minutes from the public under RSA 91-A:3, III no longer apply. If the public body determines that those circumstances no longer apply, the minutes shall be available for release to the public pursuant to this chapter.

(b) In the absence of an adopted procedure to review and determine whether the circumstances no longer apply for meeting minutes kept from the public, the public body or agency shall review and determine by majority vote whether the circumstances that justified keeping meeting minutes from the public under RSA 91-A:3, III no longer apply. This review shall occur no more than 10 years from the last time the public body voted to prevent the minutes from being subject to public disclosure. Meeting minutes that were kept from the public prior to the effective date of this paragraph that are not reviewed by the public body or agency

within 10 years of the effective date of this paragraph shall be subject to public disclosure without further action of the public body.

189:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: August 04, 2023

Effective Date: October 03, 2023

**Agenda
Lebanon City Council
April 3, 2024**

11. New Business:

**11.B – NH RSA 155-B Order for Demolition of Structure Owned by
375 North Main Street West Lebanon, LLC, on property
located at 375 N. Main Street, Tax Map 8, Lot 5, West Lebanon**

Background

Because of inadequate maintenance, dilapidation, physical damage, and conditions which constitute a fire hazard and a hazard to public safety and health, the building located at 375 North Main Street, West Lebanon, further identified as Tax Map 8, Lot 5, is deemed a “hazardous building” as defined in NH RSA 155-B:1.

On January 23, 2024, Building Inspector and Health Officer Calvin Hunnewell and Assistant Fire Chief Jeff Libbey conducted an inspection of the yard and building at the above referenced property with the permission of the property owner, Thomas Patton, who was also present for the inspection. The summary report of the physical condition of the building on the lot is attached for review, along with numerous photographs of the property and structure taken on the day of the inspection. As noted in the summary report, portions of the building, including ceilings and floors, have begun collapsing; there is standing water in the basement; and the entire structure is an attractive nuisance and a fire hazard.

On February 12, 2024, Building Inspector and Health Officer Hunnewell issued an Order to Vacate the building pursuant to NH RSA 674:52-a and NH RSA 147:16-a on reasonable belief that the condition of the premises constitutes a clear and imminent danger to the life or health of occupants and other persons. On the same date, Assistant Fire Chief Libbey issued a warning to all Lebanon Firefighters that the structure should be considered “defensive only” for firefighting purposes, because of the overall condition of the building and the potential for collapse.

Action

Should the Council decide to issue an Order for Demolition under the provisions of NH RSA 155-B:3, the following motion is offered for consideration:

WHEREAS the City of Lebanon’s Building Inspector/Health Officer and Assistant Fire Chief have determined the structure located at 375 N. Main Street, Tax Map Parcel ID 8-5, to be a “hazardous building” under the meaning of NH RSA 155-B:1, II, constituting a fire hazard and a threat to public health and safety.

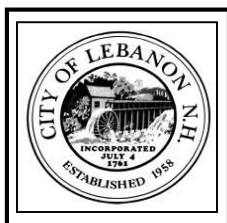
BE IT MOVED, that the Lebanon City Council, pursuant to NH RSA 155-B:3, hereby ORDERS the owner of the hazardous building located at 375 N. Main Street, Tax Map Parcel ID 8-5, to raze or remove the same within thirty (30) days; and

BE IT FURTHER MOVED, that the Lebanon City Council hereby designates and authorizes the City Manager or his designees to issue an appropriate written ORDER on

behalf of the City Council and to undertake all actions and execute all documents as may be required (a) to enforce such ORDER through an NH RSA 155-B proceeding before the 2nd Circuit Court – District Division – Lebanon, (b) to cause the razing or removal of the hazardous building, and (c) to recover all sums expended by the City in bringing the property into compliance pursuant to NH RSA 155-B:3, 9, 9-a and 10.

Included In This Section:

1. Report of Inspection of Hazardous Building at 375 N. Main Street, West Lebanon, Tax Map 8, Lot 5, from Calvin Hunnewell, Building Inspector & Jeffrey S. Libbey, Assistant Fire Chief, dated March 26, 2024.
2. Written Notice of Order to Vacate 375 North Main Street, West Lebanon, New Hampshire, Tax Map ID 8-5, pursuant to RSA 147:16-a and RSA 674:52-a, dated February 12, 2024.
3. NH RSA 155-B, Hazardous and Dilapidated Buildings



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

To: Nathan Reichert, Planning & Development Director
From: Calvin Hunnewell, Building Inspector & Jeffrey S. Libbey, Assistant Fire Chief
Date: March 26, 2024

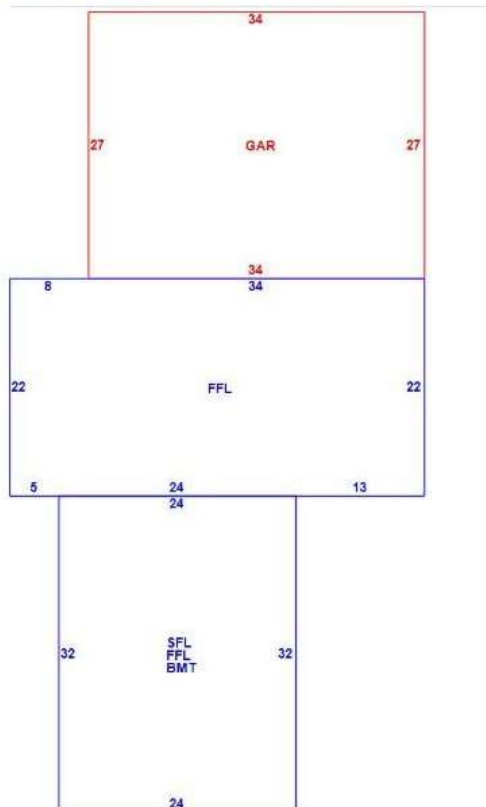
Re: Inspection of Hazardous Building at 375 N. Main Street, West Lebanon
(Tax Map 8, Lot 5)

On January 23, 2024, 10:00 a.m., we, the undersigned building inspector and fire inspector for the City of Lebanon, conducted an inspection of the yard and building at the above-referenced property with the permission of the owner, Thomas Patton. Mr. Patton was present for our inspection. Also present were Brad Shaw (City building inspector), Tim Corwin (Deputy Planning and Development Director), and the City's attorney, Matthew Decker.

This report concerns the physical condition of the building on the lot, which consists of a two-story house with a basement at the front of the lot, a one-story apartment in the middle, and a garage to the rear. The below images from the City's GIS map and property record card show the layout.



Building Layout



City records indicate that the property is configured for 3 dwelling units (1 upstairs in the main house, 1 downstairs, and 1 in the middle unit). However, to our personal knowledge the property has been vacant and unoccupied for an extended period of time.

Attached at the end of this report are relevant photographs of the building exterior and interior taken on the date of our inspection. Our factual observations, supported by the attached photos, are as follow:

- The exterior of the property has not been maintained for many years. Thorn bushes and vines have grown up to and upon the building, accelerating decay of the exterior shell. The middle apartment is inaccessible due to overgrown thorn bushes. Additionally, a number of non-roadworthy motor vehicles block access to the structure.
- Two large trees have fallen in the yard, one of which apparently struck and damaged the roof of the front unit.
- The roof is in a state of incomplete repair from the fallen tree and failing shingles. There is a visible hole in the roof at the back of the building. Black shingles have fallen off the roof at the edge, exposing visible rotten plywood underneath. A middle dormer window appears to have settled and is not level with the rest of the roof, indicating some level of failure. Eaves viewed from the underside were rotten and falling apart, including beneath the dormer windows. Metal sheeting has been nailed to the roof on top of the failing black shingles, but does not completely cover the roof. Given the condition of the shingles and plywood, the roof likely is not watertight and allows water to leak into the interior.
- A gutter has fallen off the middle unit.
- Upon entering the front door entrance, the floor is not even with the door jamb. A sheet of plywood was resting on the door jamb, creating a ramp down to the sunken, slanted floor. Mr. Patton slipped and fell down the ramp as he stepped over the threshold and led us into the interior. To the left of the front door, the floor has entirely collapsed and the basement is visible through a hole in the floor. We did not approach the hole in the floor for a closer look due to concerns that the hole would widen or the floor would entirely collapse. To the right of the front door, towards the stairs to the second level, the floor has not yet collapsed but has a spongy or bouncy feel, indicating that the floor supports are in the process of failing.
- Visible through the hole in the floor, the basement was flooded. Mr. Patton told us that there is about 2 feet of standing water in the basement. Mr. Patton said that the basement had been flooded for some time, and that he had cut off electricity to the house at the basement circuit breaker to avoid electric shock. (Chief Libbey recommended that Liberty Utilities be contacted to cut off electricity from the street pole.)

- The front room, and most other rooms on the first floor which we were able to safely view, were filled floor-to-ceiling with personal property/combustible material such as boxes, clothing, and paper materials, with only paths wide enough for a person to navigate.
- From the front entrance, large water stains were visible on the ceiling and walls of multiple rooms. Additionally, a section of ceiling had collapsed in the corner of the front room, with rust-colored stains visible around the ceiling hole and down the walls. The ceiling around the hole was sagging. Water stains and collapsed ceilings are indicative of water leaking into the structure.
- Throughout the first floor interior, mold is growing on the walls, ceiling, and personal items. The presence of mold is a strong indicator of water leaking into the house and saturating the interior.
- All upstairs rooms with the exception of the bathroom have combustible boxes stacked to the ceiling providing a heavy combustible fire load in the building. The sides of the stairs were lined with old car batteries. At the bottom of the stairs there were plastic gasoline containers with liquid inside, presumed to be old gasoline.
- Water damage is visible on the walls and ceilings of the three upstairs bedrooms, as well as patches of mold on the ceilings in each room. The condition of the floors could not be directly observed due to the rooms being filled with cardboard boxes and personal items.
- The floor in the second floor bathroom is not level and appears to be sinking as a precursor to collapse. There is an opening in the bathroom wall to the outside, large enough for a rodent to pass through. The bathroom is covered in an unidentifiable black substance which may have been sewage or more mold.
- One or more animals are living among the boxes in the upstairs bedroom. No animals were directly observed, but entry into one of the bedrooms seems to have startled a rodent-sized animal which made loud noises as it fled through the boxes.
- Based on our observations of water damage and collapsed floor sections in the first and second floors of the house, we believed it was unsafe to enter the basement area for a closer look.

We were unable to make further inspection of the interior areas due to safety concerns. Based on the apparent extensive water damage and collapsing/collapsed floors and ceilings throughout, we deemed the risk of further collapse to be too high to continue the inspection.

Based on our observations, on February 12, Health Officer & Building Inspector Hunnewell issued an Order to Vacate the building pursuant to RSA 674:52-a and RSA 147:16-a on reasonable belief that the condition of the premises constitutes a clear and imminent danger to the life or health of occupants and other persons. Also on February 12, Assistant Fire Chief Libbey issued a warning to all Lebanon firefighters: “The [375 N. Main Street] building has sustained collapse of the first floor off Side A entrance of the building and collapse of the second floor bathroom. The home is

full paper combustibles along with batteries and gasoline cans with unknown type liquids. The house is in many levels of deterioration with black mold on both levels of the home. Access to the building is very difficult due to trees, vehicles and other machinery blocking the structure. There is still power to this building but the main breaker has been shut off. This structure should be Defensive only.” “Defensive only” means that firefighters are not to enter the structure, should beware of collapse, and should focus their efforts on preventing the spread of the fire with a “surround and drown” approach.

The failing/damaged roof, the water stains and mold throughout the interior, the collapsing/collapsed ceilings and floors, and the standing water in the basement, all support a conclusion that the interior of the house has been subject to extensive wetting for an undetermined but extensive period of time. The house is constructed with a wood frame and plywood and plaster walls, all of which are susceptible to rotting.

In our professional opinion as code inspectors, the building cannot be fully inspected due to safety concerns. Due to the extensive interior water damage, the risk of further collapse or structural failure is a near certainty. Further, the near certain damage to the structural integrity of the house dictates that we would be unable to issue a certificate of occupancy in the future. From a safety perspective, the house cannot currently be occupied, and no reasonable/feasible repair can alleviate the presumed structural hazard. Attempts at repair would be illogical and impractical because, to be safe for occupation, the frame of the house must be completely replaced and rebuilt. In general, the building is unfit for occupancy, and it is our professional opinion that the structure should be demolished.

Our conclusion is that the structure cannot be occupied and cannot be reasonably salvaged. Further, because of inadequate maintenance, dilapidation and physical damage, the building is at risk of collapse or would be an attractive nuisance, which constitutes a hazard to public safety. In its current state the building is also a fire hazard, and the safety of firefighters would be placed at unreasonable risk if called upon to fight a fire at this house. Therefore, we conclude that the building is a “hazardous building” as defined in RSA 155-B:1.

Sincerely,



Calvin Hunnewell
Building Inspector


Jeff Libbey (Mar 27, 2024 12:46 EDT)

Jeffrey Libbey
Assistant Fire Chief/Fire Inspector

Attachments

- 1/23/23 Site Inspection Photos













































City of Lebanon, NH
51 North Park Street
Lebanon, NH 03766
(603) 448-1457
www.LebanonNH.gov

February 12, 2024

Via Certified Mail

375 North Main Street West Lebanon, NH LLC
c/o Thomas H. Patton, Member
332 Burpee Hill Rd
New London, NH 03257

Re: Written Notice of Order to Vacate 375 North Main Street, West Lebanon, New Hampshire, Map ID 8-5, pursuant to RSA 147:16-a and RSA 674:52-a.

ORDER TO VACATE EFFECTIVE IMMEDIATELY

Dear Mr. Patton:

Calvin Hunnewell, City of Lebanon Building Inspector and Health Officer, along with other City Officials, in your company, inspected the above referenced premises on January 23, 2024. The inspection revealed that the condition of the premises constitutes a clear and imminent danger to the life or health of the occupants, and a nuisance or danger to the public health, due to the presences of leaking roof, collapsed roof, floor and ceilings, and a severe mold infestation.

RSA 674:52-a and RSA 147:16-a authorize a building inspector and health officer to order a building, structure, or other premises to remain unoccupied if they determine, based on reasonable information and belief, that the condition of such premises constitutes a "clear and imminent danger to the life or safety of occupants" and "that protection of life or safety requires vacating the premises".

The undersigned official has determined that occupancy of 375 North Main Street would constitute a clear and imminent danger to the life and safety of any person, and that protection of life or safety requires vacating the premises, as discussed with you on January 23, 2024, and again on February 5, 2024, the premises is and has been vacated and you intend to maintain vacancy of the premises.

Therefore, it has been declared, effective immediately as of February 6, 2024, that the premises, 375 North Main Street, are unfit for human occupancy, and the protection of life and health requires vacating said premises. Pursuant to New Hampshire RSA 674:52-a and 147:16-a, all persons are ordered to vacate the premises, effective immediately.

This Notice and Order will remain in effect until the above-described health nuisances and building code violations are resolved. No one is permitted to enter 375 North Main Street without the permission of the Health Officer or Building Inspector before this order to vacate is revoked and a new certificate of occupancy has been issued for the premises.

Pursuant to RSA 147:16-a, the entrance to the premises shall be posted with a notice describing the dangerous conditions and informing all persons that the premises have been ordered vacated as of the date of this letter.

Pursuant to the New Hampshire RSA 147:16-a, any person specially aggrieved by this order has a right to a hearing in district court (2nd Circuit – District Division – Lebanon) to contest this Order or to have the court consider whether to direct the responsible party to remove or abate the source of danger.

Respectfully,



Feb 12, 2024

Calvin Hunnewell

Health Officer & Building Inspector

cc: Shaun Mulholland, City Manager
David Brooks, Deputy City Manager
Nathan Reichert, Planning and Development Director
Tim Corwin, Deputy Planning and Development Director
Chief Phillip Roberts, Lebanon Police Department
Jeff Libbey, Assistant Fire Chief
Brad Shaw, Building Inspector

TITLE XII

PUBLIC SAFETY AND WELFARE

CHAPTER 155-B

HAZARDOUS AND DILAPIDATED BUILDINGS

Section 155-B:1

155-B:1 Definitions. –

For the purposes of this chapter, the following terms have the following meanings:

- I. "Building" includes any structure or part of a structure.
- II. "Hazardous building" means any building which, because of inadequate maintenance, dilapidation, physical damage, unsanitary condition, or abandonment, constitutes a fire hazard or a hazard to public safety or health.
- III. "Governing body" means the city council or the selectmen of a town.

Source. 1967, 334:1, eff. Sept. 1, 1967.

Section 155-B:2

155-B:2 Repair or Removal of Hazardous Building. – The governing body of any city or town may order the owner of any hazardous building within the municipality to correct the hazardous condition of such building or to raze or remove the same.

Source. 1967, 334:1, eff. Sept. 1, 1967.

Section 155-B:3

155-B:3 Order; Contents. – The order shall state, in writing, the grounds therefor, specifying the necessary repairs, if any, and providing a reasonable time for compliance. It shall also state that a motion for summary enforcement of the order will be made to the court of the district or municipality in which the hazardous building is situated unless corrective action is taken, or unless an answer is filed within the time specified in RSA 155-B:6 and that any costs, attorney's fees, and expenses incurred by the municipality in bringing the property into compliance may be enforced as a lien against the subject property and any other property owned by the same owner in the state pursuant to RSA 155-B:9, II.

Source. 1967, 334:1. 2008, 293:1, eff. June 27, 2008.

Section 155-B:4

155-B:4 Order; Service. – The order shall be served upon the owner of record, or his agent if an agent is in charge of the building, and upon the occupying tenant, if there is one, and upon all lien holders of record, in the manner provided for service of a summons in a civil action. If the owner cannot be found, the order shall be served upon him by posting it at the main entrance to the building and by 4 weeks' publication in a published newspaper of the municipality if there is one, otherwise in a newspaper of general circulation in the state.

Source. 1967, 334:1, eff. Sept. 1, 1967.

Section 155-B:5

155-B:5 Order; Filing. – A copy of the order with proof of service shall be filed with the clerk of the court of the district or municipality in which the hazardous building is located not less than 5 days prior to the filing of a motion pursuant to RSA 155-B:7 to enforce the order. The appropriate district or municipal court shall have jurisdiction under this chapter notwithstanding any contrary provisions in RSA 502-A:14 or in any other section of RSA. At the time of filing such order the governing body shall file for record with the register of deeds a notice of the pendency of the proceeding, describing with the reasonable certainty the lands affected and the nature of the order. If the proceeding be abandoned the governing body shall within 10 days thereafter file with the register of deeds a notice to that effect.

Source. 1967, 334:1, eff. Sept. 1, 1967.

Section 155-B:6

155-B:6 Answer. – Within 20 days from the date of service, any person upon whom the order is served may serve an answer in the manner provided for the service of an answer in a civil action, specifically denying such facts in the order as are in dispute.

Source. 1967, 334:1, eff. Sept. 1, 1967.

Section 155-B:7

155-B:7 Default Cases. – If no answer is served, the governing body may move the court for the enforcement of the order. If such a motion is made the court may, upon the presentation of such evidence as it may require, affirm or modify the order and enter judgment accordingly, fixing a time after which the governing body may proceed with the enforcement of the order. The clerk of the court shall cause a copy of the judgment to be mailed forthwith to persons upon whom the original order was served.

Source. 1967, 334:1, eff. Sept. 1, 1967.

Section 155-B:8

155-B:8 Contested Cases. – If an answer is filed and served as provided in RSA 155-B:6, further proceedings in the action shall be governed by the rules of civil procedure for the district or municipal courts, except that the action has priority over all pending civil actions and shall be tried forthwith. If the order is sustained following the trial, the court shall enter judgment and shall fix a time after which the building shall be destroyed or repaired, as the case may be, in compliance with the order as originally filed or modified by the court. If the order is not sustained, it shall be annulled and set aside. The clerk of the court shall cause a copy of the judgment to be mailed forthwith to the persons upon whom the original order was served.

Source. 1967, 334:1, eff. Sept. 1, 1967.

Section 155-B:9

155-B:9 Enforcement of Judgment. –

I. If a judgment is not complied with in the time prescribed, the governing body may cause the building to be repaired, razed, or removed as set forth in the judgment. The cost of such repairs, razing, or removal shall be a lien against the real estate on which the building is located and may be levied and collected in the same manner as provided in RSA 80 for tax liens. When the building is razed or removed by the municipality, the governing body may sell the salvage and valuable materials at public auction upon 3 days' posted notice.

II. If the value of the subject real estate is deemed by the municipality to have insufficient value, based on the current tax assessment, to cover the cost of repairs, razing, or removal, the governing body may place a lien for the balance of the cost on any other real property in the state that is owned by the same owner, which additional lien may be levied and collected in the same manner as provided in RSA 80 for tax liens; provided that RSA

80:59 giving such liens priority over all other liens shall not apply. The municipal lien shall be subordinate to any lien of record on such real property.

Source. 1967, 334:1. 2008, 293:2, eff. June 27, 2008.

Section 155-B:9-a

155-B:9-a Municipal Lien on Owner's Interest in Property Insurance Proceeds. – If the value of the subject real estate is deemed by the municipality to have insufficient value, based on the current tax assessment, to cover the cost of repairs, razing, or removal, and the owner has no other real property within the state, a municipality may assert a lien on the owner's interest in any real property insurance proceeds that are payable as a result of the damage or destruction of that property owner's real property located in the municipality. The lien shall be for the estimated cost to repair, raze, or remove the damaged structure, whichever of those options is the least expensive, minus the value in the remaining real property based on the current tax assessments. The municipal lien shall be subordinate to any lien holder of record, and to any rights, title, or interest in such real property insurance proceeds in favor of any lender holding a mortgage on such real property and who was named as an additional insured or loss payee, by means of loss payable endorsement or otherwise, on any policy of insurance insuring such real property. The insurer's obligations under this section shall commence upon its receipt of a copy of the order under RSA 155-B:4, and a statement of the estimated lien amount allowed under this section, and shall apply only to insurance proceeds held by the insurer as of that date and due to be paid to the owner. The lien, the estimated cost of which shall be approved by the court, shall be for the purpose of reimbursing the municipality for all costs permitted to be recovered by it under RSA 155-B if the municipality elects to demolish the property. Any unexpended funds from the lien shall be returned to the property owner. The property owner shall, within 72 hours of the receipt of a written request by the municipality, provide the municipality with the names, addresses, agents, and policy numbers of all insurance companies which have provided the property owner with insurance on the property. The lien shall automatically expire if the owner rebuilds or demolishes the real property in the manner required by this chapter and the municipality shall provide a written release of the lien to the insurer and the property owner. The insurer shall distribute all proceeds due to the property owner that exceed the lien amount allowed under this section. The municipality shall release the lien in order to permit payment for repairs, razing, or removal of the building.

Source. 2008, 293:3, eff. June 27, 2008.

Section 155-B:10

155-B:10 Statement of Monies Received. – The municipality shall keep an accurate account of the expenses incurred in carrying out the order and of all other expenses theretofore incurred in connection with its enforcement, including specifically, but not exclusively, filing fees, service fees, publication fees, appraisers' fees, witness fees, including expert witness fees, and traveling expenses incurred by the municipality from the time the order was originally made, and shall credit thereon the amount, if any, received from the sale of the salvage, or building or structure, and shall report its action under the order, with a statement of monies received and expenses incurred to the court for approval and allowance. Thereupon the court shall examine, correct, if necessary, and allow the expense account, and, if the amount received from the sale of the salvage, or of the building or structure, does not equal or exceed the amount of expenses as allowed, the court shall by its judgment certify the deficiency in the amount so allowed to the municipal clerk for collection. The owner or other party in interest shall pay the same, without penalty added thereon, and in default of payment by December 1, the clerk shall certify the amount of the expense to the collector for entry on the tax lists as a charge against the real estate on which the building is or was situated and the same shall be collected in the same manner as other taxes and the amount so collected shall be paid into the municipal treasury. If the amount received for the sale of the salvage or of the building or structure exceeds the expense incurred by the municipality as allowed by the court, and if there are no delinquent taxes, the court shall direct the payment of the surplus to the owner or the payment of the same into court, as provided in this chapter. If there are delinquent taxes against the property, the court shall direct the payment of the surplus to the municipal treasurer to be applied to such taxes.

Source. 1967, 334:1, eff. Sept. 1, 1967.

Section 155-B:11

155-B:11 Payment, Tender, Deposit in Court. – The net proceeds of a sale under RSA 155-B:9 or 12 shall be paid to persons designated in the judgment in the proportions as their interests shall appear therein. Acceptance of such payment shall be taken as a waiver of all objections to the payment and to the proceedings leading thereto on the part of the payee and of all persons for whom he is lawfully empowered to act. In case any party to whom a payment of damages is made be not a resident of the state, or his place of residence be unknown, or he be an infant or other person under legal disability, or, being legally capable, refuses to accept payment, or if for any reason it be doubtful to whom any payment should be paid, the municipality may pay the same to the clerk of court to be paid out under the direction of the court; and, unless an appeal be taken such deposit with the clerk shall be deemed a payment of the award.

Source. 1967, 334:1, eff. Sept. 1, 1967.

Section 155-B:12

155-B:12 Personal Property of Fixtures. – If any building ordered razed, removed, or made safe and sanitary by repairs contains personal property or fixtures which will unreasonably interfere with the razing, removal, or repair of such building, or if the razing or removal of the building makes necessary the removal of such personal property or fixtures, the original order of the governing body may direct the removal of such personal property or fixtures within a reasonable time. If the property or fixtures are not removed by the time specified, and the governing body subsequently desires to enforce a judgment under the provisions of this chapter, it may sell the same at public auction as provided in RSA 155-B:9 or if without appreciable value, the governing body may destroy the same.

Source. 1967, 334:1, eff. Sept. 1, 1967.

Section 155-B:13

155-B:13 Hazardous Excavations. – If in any city or town, an excavation for building purposes is left open for more than 6 months without proceeding with the erection of a building thereon, whether or not completed, or if any excavation or basement is not filled to grade or otherwise protected after a building is destroyed, demolished or removed, the governing body may order such excavation to be filled or protected or in the alternative that erection of a building begin forthwith if the excavation is for building purposes. The order shall be served upon the owner or his agent in the manner provided by RSA 155-B:4. If the owner of the land fails to comply with the order within 15 days after the order is served upon him, the governing body shall cause the excavation to be filled to grade or protected and the cost shall be charged against the real estate as provided in RSA 155-B:9.

Source. 1967, 334:1, eff. Sept. 1, 1967.

Section 155-B:14

155-B:14 Local Acts and Charter Provisions. – The provisions of this chapter are supplementary to other statutory and charter provisions and do not limit the authority of any city or town to enact and enforce ordinances on the same subject.

Source. 1967, 334:1, eff. Sept. 1, 1967.

Section 155-B:15

155-B:15 Appeal. – A party aggrieved by the judgment of a municipal or district court upon issue joined in such case may, within 15 days after the rendition of the judgment, appeal to the superior court therefrom and the superior court shall hear said appeal forthwith.

Source. 1967, 334:1, eff. Sept. 1, 1967.

**Agenda
Lebanon City Council
April 3, 2024**

11. New Business:

**11.C – Discussion and Set Public Hearing for May 1, 2024: Complete
Discontinuance of the Western (partially-built) Portion of Barrows Street
between Tax Parcels 77-106 and 77-107, Lebanon**

Background

On February 7, 2024, the City Council acted, in accordance with City Council Policy, CC-102, Real Property Transactions, to determine that several City-owned parcels, including two located along Barrows Street (Tax Parcels 77-106 and 77-107), have redevelopment potential and are suitable for redevelopment as part of designated Redevelopment Areas.

In the process of considering redevelopment possibilities, the City Manager is recommending that the Council discontinue the westerly, partially-built portion of Barrows Street that currently separates the two City-owned parcels. Upon completion of the discontinuance process, the centerline of the former right-of-way will become the new boundary line between the parcels and will allow them to be formally merged into a single contiguous property.

No other properties would be impacted by the proposed discontinuance of this portion of Barrows Street.

Action

If the Council decides to move forward with the complete discontinuance of the westerly portion of Barrows Street, between Tax Parcels 77-106 and 77-107, the following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, May 1, 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 on the complete discontinuance of the westerly, partially-built portion of Barrows Street, between Tax Parcels 77-106 and 77-107, Lebanon.

Included In This Section:

1. Barrows Street Public Right-of-Way Discontinuance plan, dated March 25, 2024



77-107

419576.13 N

828190.74 E

419535.95 N

828176.27 E

77-106

BARROWS ST

BUSH AVE

CITY of LEBANON, NH



Barrows Street

**Public Right-of-Way
Discontinuance**

- Public Right-of-Way
- Discontinued Right-of-Way

0 50 100
Feet

Coordinate System:
NAD 1983 NH State Plane
FIPS 2800

Map Printed: 3/25/2024

**Agenda
Lebanon City Council
April 3, 2024**

11. New Business:

11.D – Discussion and Set Public Hearing for May 15, 2024: Amendment of Mount Support Road Special Assessment District, and Authorization to Impose Special Assessment for Construction Phase of Traffic and Transportation Improvements at the Intersection of Mount Support Road and Lahaye Drive, Lebanon

Background

Pursuant to NH RSA 52-A, Special Assessment Districts are districts in which public facilities and services are to be provided and in which special assessments and charges may be levied and collected to pay for those public facilities and services. Pursuant to Chapter C419:57 of the City of Lebanon Charter, the City Council has the power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the properties especially benefitted and shall so declare by resolution.

On June 2, 2021, the City Council unanimously approved the creation of the Mount Support Road Special Assessment District (S.A.D.) to pay for the cost of design and permitting for traffic and transportation improvements in and near the intersection of Mt. Support Road and Lahaye Drive. The improvements were found to be necessary based on traffic impact studies prepared for several large development projects located near and along Mt. Support Road in the preceding year.

The basis of the special assessment for properties located within the S.A.D. was determined based on a review and analysis of the traffic impact studies and the projected trip generation for the Dartmouth Health Patient Tower Expansion project, the Dartmouth College-Michael's Student Living residential development, and the Saxon Partners-Marek residential development, as well as existing traffic counts and standard traffic projection data. In addition to the existing and approved projects in the Mt. Support Road corridor, the City was determined to be responsible for a small portion of trips through the intersection that are not attributable to other developments within the district. The original calculated percentage of trips through the Mt. Support Road/Lahaye Drive intersection and the relative share of the anticipated project costs for the properties in the S.A.D. are summarized on the attached spreadsheet.

Subsequent to the creation of the S.A.D., in February 2022, another large development project (392-402 Mt. Support Road; n/f SPNH Lebanon North, LLC) was approved along Mt. Support Road within the district. In accordance with the Council's original S.A.D. resolution, the proportionate share of traffic through the Mt. Support Road/Lahaye Drive intersection was recalculated using the same methodology and incorporating the additional projected traffic generated from the newly-approved 204-unit residential development. The updated calculated percentage of trips and relative share of anticipated project costs for the properties in the district are summarized on the attached spreadsheet.

At the time of its creation, the S.A.D. process was initiated and the district was established specifically to raise \$250,000 for the design and permitting phases of the intersection improvements. Since the City did not borrow funds for the design and permitting phases, the special assessments levied against properties in the district only includes the payback of the

principal amount in 10 payments over a relatively short 5-year period. Six of the anticipated 10 special assessments have been levied to date. Four more assessments are anticipated (two in 2024 and two in 2025) to fully recoup the cost of the design and permitting work for the improvements.

In order to raise funds for the construction phase of the intersection improvements, which are estimated to be approximately \$4.35 million dollars, the Council must re-initiate the S.A.D. process and amend the previously established district to authorize that the expense of constructing the traffic and transportation improvements shall be paid for, in part, by a special assessment levied upon the properties in the district. The City of Lebanon will continue to be responsible for its share of the costs, calculated at 7.279%, resulting from trips through the intersection that are not attributable to other developments in the district along with future background growth.

For the construction phase, the City expects to issue bonds for the cost of the project. The Finance Department has estimated that the interest on the borrowed funds will be approximately \$1.8 million dollars over the 20-year repayment period for the bond. The special assessments levied against the properties within the district, along with the City's share, for the construction phase of improvements will account for both the principal amount and the estimated interest on the borrowed funds, and will be assessed in 40 payments over 20 years.

Action

If the Council decides to move forward with amending the Special Assessment District, the following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, May 15, 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 re-initiate the Special Assessment District process, to amend the previously-established Mount Support Road Special Assessment District, and to authorize the imposition of a special assessment to pay for the construction phase of traffic and transportation improvements at the intersection of Mt. Support Road and Lahaye Drive, Lebanon.

Included in this Section:

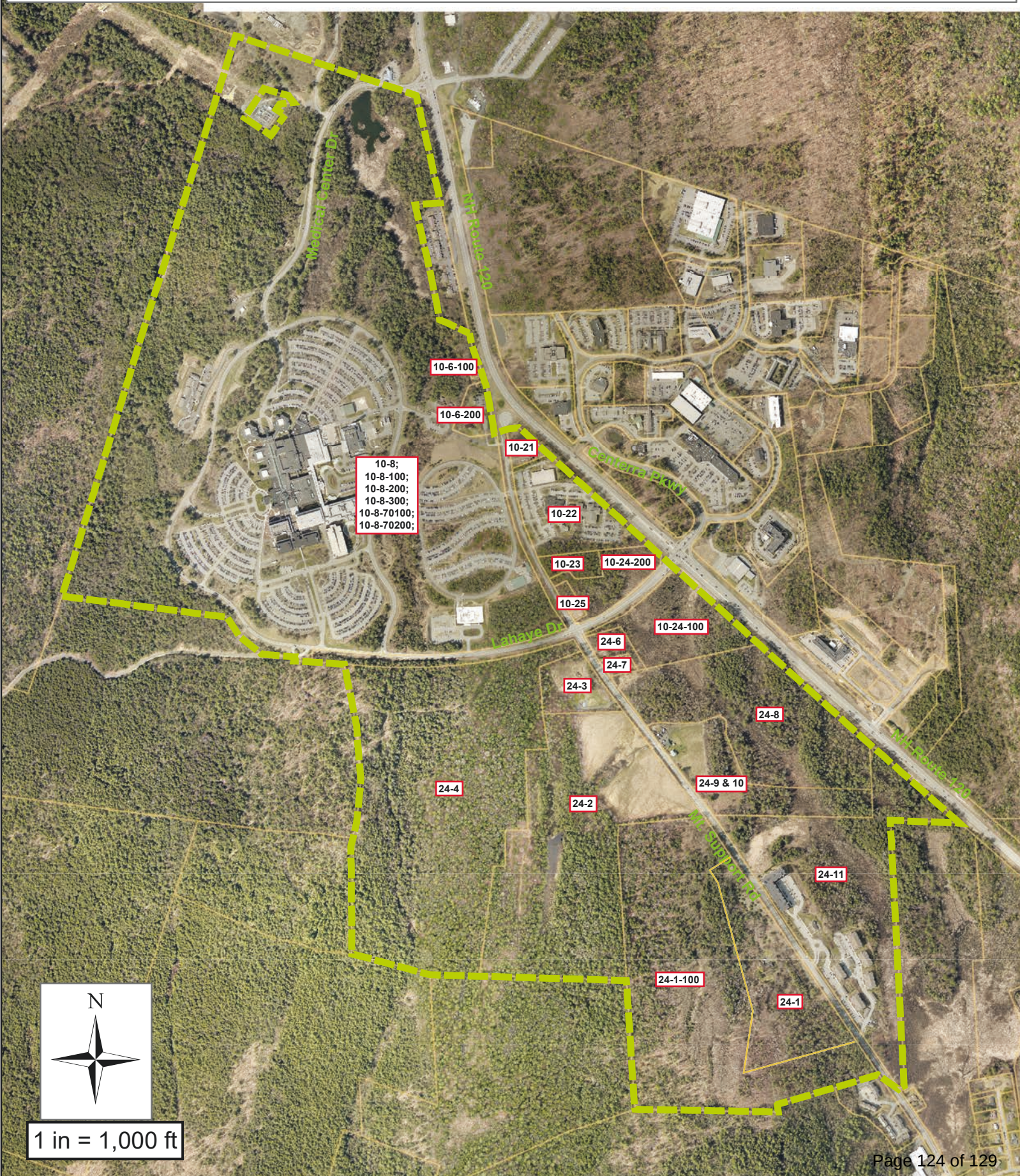
1. Map of Mount Support Road Special Assessment District, updated through March 20, 2024
2. Property Owner spreadsheet for Mount Support Road Special Assessment District, including percentage of all trips and relative share of project costs, updated through March 20, 2024
3. Plan entitled "Lahaye Drive At Mount Support Road Intersection Improvements, Key Plan", prepared by Weston & Sampson, dated September 2023, Project No. ENG21-1276.

Information available but not included in this Section:

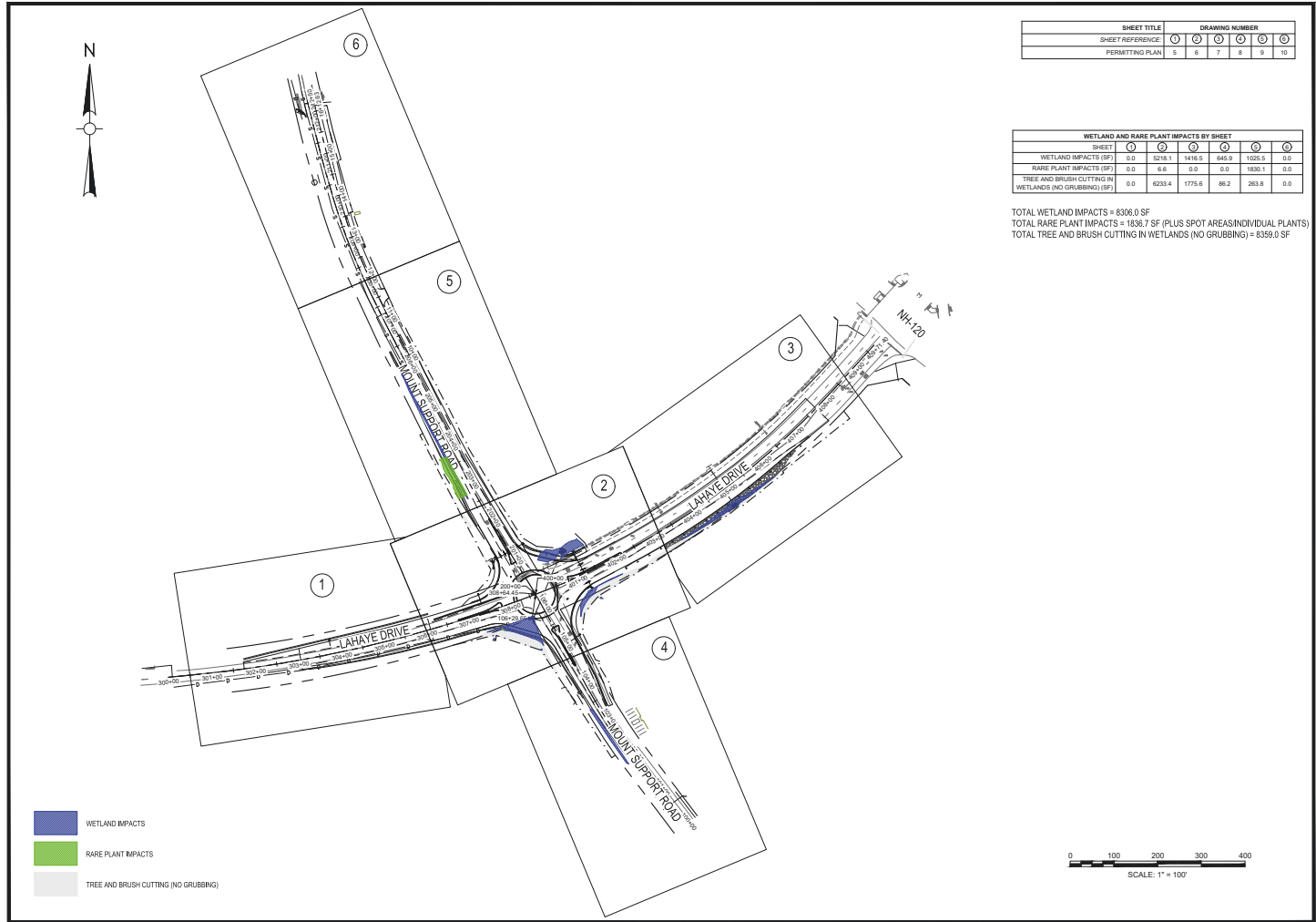
[City of Lebanon Charter, Section C419:57 - Special Assessments - Council Resolutions](#)
[NH RSA 52-A – Special Assessment Districts](#)

Mount Support Road - Special Assessment District

Established: June 2, 2021



Tax Map / Lot	Owner Name	Existing Land Use	% All Trips (as of S.A.D. creation on 6/2/21)	% All Trips (w/ approval of 392-402 Mt. Support project)	% change (w/ approval of 392/402 Mt. Support project)	Remaining Funds for Design- Permitting as of 3/19/24 (\$100,000)	S.A.D. Assessment Amt For Remaining Period (2 year payback @ 2 bills/yr)	Funds for Construction Phase + Interest Costs (\$4,350,000 + \$1,800,000)	S.A.D. Assessment Amt. for Const. Phase Costs (20 years @ 2 bills/yr)
10-8-200	MARY HITCHCOCK MEM HOSPITAL	Medical Center/Hospital	83.593%	81.669%	-1.924%	\$81,669.00	\$20,417.25	\$5,022,643.50	\$125,566.09
10-8-100	DARTMOUTH HITCHCOCK MEDICAL CE	Medical Center/Undev. Land Area	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
10-8-300	DARTMOUTH HITCHCOCK MEDICAL CE	Medical Center/Dev.Land Area	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
10-8-70200	DARTMOUTH COLLEGE TRUSTEES	Medical Center/Geisel School	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
10-8	DARTMOUTH-HITCHCOCK MEDICAL CE	Medical Center/Food Court	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
10-8-70100	MARY HITCHCOCK MEM HOSPITAL	Medical Center/Childcare Ctr	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
10-22	MARY HITCHCOCK MEM HOSPITAL	Medical Center/Office	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
24-2	DARTMOUTH COLLEGE TRUSTEES	Multi-Family	3.803%	3.714%	-0.089%	\$3,714.00	\$928.50	\$228,411.00	\$5,710.28
24-1	MAREK LEBANON LLC	Multi-Family	3.002%	2.932%	-0.070%	\$2,932.00	\$733.00	\$180,318.00	\$4,507.95
24-11	AUDUBON TIMBERWOOD LLC	Multi-Family	1.486%	1.452%	-0.034%	\$1,452.00	\$363.00	\$89,298.00	\$2,232.45
24-9 & 10	SPNH LEBANON NORTH LLC	Multi-Family (approved)	0.046%	2.350%	2.304%	\$2,350.00	\$587.50	\$144,525.00	\$3,613.13
10-6-200	DAVIDS HOUSE INC	Hospice / Inn	0.482%	0.470%	-0.012%	\$470.00	\$117.50	\$28,905.00	\$722.63
24-7	UPPER VALLEY SUPPORTIVE	Multi-Family (4 units)	0.091%	0.089%	-0.002%	\$89.00	\$22.25	\$5,473.50	\$136.84
24-3	DARTMOUTH COLLEGE TRUSTEES	Single Family	0.046%	0.045%	-0.001%	\$45.00	\$11.25	\$2,767.50	\$69.19
10-6-100	NORTHERN NE TELE OPER LLC	Unstaffed Telephone Bldg	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
10-24-100	DARTMOUTH COLLEGE TRUSTEES	Vacant	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
10-24-200	DARTMOUTH COLLEGE TRUSTEES	Vacant	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
24-4	DARTMOUTH COLLEGE TRUSTEES	Vacant	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
24-8	DARTMOUTH COLLEGE TRUSTEES	Vacant	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
10-21	MARY HITCHCOCK MEM HOSPITAL	Vacant	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
10-23	MARY HITCHCOCK MEM HOSPITAL	Vacant	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
10-25	MARY HITCHCOCK MEM HOSPITAL	Vacant	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
24-6	MARY HITCHCOCK MEM HOSPITAL	Vacant	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
24-1-100	SPNH MOUNT SUPPORT, LLC	Vacant	0.0%	0.0%	0.000%	\$0.00	\$0.00	\$0.00	\$0.00
	CITY OF LEBANON SHARE	Background Growth / Other Dev'ts	7.452%	7.279%	-0.173%	\$7,279.00	\$1,819.75	\$447,658.50	\$11,191.46
			100.00%	100.00%	0.00%	\$100,000.00	\$25,000.00	\$6,150,000.00	\$153,750.00



SHEET TITLE	DRAWING NUMBER					
SHEET REFERENCE	1	2	3	4	5	6
PERMITTING PLAN	6	6	7	8	9	10

SHEET	1	2	3	4	5	6
WETLAND IMPACTS (SF)	0.0	5218.1	1418.5	645.9	1025.5	0.0
RARE PLANT IMPACTS (SF)	0.0	6.6	0.0	0.0	1830.1	0.0
TREE AND BRUSH CUTTING IN WETLANDS (NO GRUBBING) (SF)	0.0	6233.4	1775.6	86.2	263.8	0.0

TOTAL WETLAND IMPACTS = 8308.0 SF
 TOTAL RARE PLANT IMPACTS = 1836.7 SF (PLUS SPOT AREAS/INDIVIDUAL PLANTS)
 TOTAL TREE AND BRUSH CUTTING IN WETLANDS (NO GRUBBING) = 8358.0 SF

LAHAYE DRIVE AT MOUNT SUPPORT ROAD INTERSECTION IMPROVEMENTS

Weston & Sampson
 Weston & Sampson Engineers, Inc.
 130 Dow Street, Tower 4, Suite 200
 Manchester, NH 03101
 603.252.2000
 www.westonsampson.com

Comments:

No.	Date	Description

Scale:

NOTES:
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Permitted For:

Scale:	AS SHOWN
Date:	September 2023
Drawn By:	OGA
Reviewed By:	CMG
Approved By:	JMS
W&S Project No.:	ENG23-1278
W&S File No.:	

Drawing Title:

KEY PLAN

Sheet Number

2

**Agenda
Lebanon City Council
April 3, 2024**

11. New Business:

**11.E – Authorization for City Manager to Execute Release of Obsolete
Sewer Easement over 207 Mechanic Street, Lebanon**

Background

The Department of Public Works was recently contacted about property at 207 Mechanic Street, Tax Map 105, Lot 115. The property is intended to be sold and the current owner is seeking the release of a sewer easement across the property held by the City. The existing sewer easement was made obsolete when the previous sewer line was abandoned in place as part of a CSO project in the area.

The legal authority to acquire or dispose of real property interests ultimately rests with the City Council. For the subject property, the City's attorney will prepare a Release of Sewer Easement, which can be executed by the City Manager upon authorization to do so by the Council.

Action

The following motion is offered for City Council consideration:

MOVED, that the Lebanon City Council hereby authorizes the City Manager to execute a Release of Sewer Easement, to be prepared by the City's attorney, related to an obsolete sewer easement over 207 Mechanic Street held by the City, as presented in the April 3, 2024 City Council Agenda Packet.

**Agenda
Lebanon City Council
April 3, 2024**

11. New Business:

11.F – NHMA Policy Position - Remote Meetings and Quorum Requirements

Background

The NH Municipal Association (NHMA) has begun its biennial policy position process. The process begins with an opportunity for municipalities to submit policy positions for consideration of adoption at the biennial policy conference held in the fall. The proposed policy positions submitted to NHMA are reviewed and, in some cases, amended by one of three policy committees, which will begin meeting on April 5th. The committees review the submissions and make recommendations to the NHMA policy conference. Municipalities have until April 15th to submit proposed policy positions.

Councilor Wilkie has proposed a policy position for the City Council to consider submitting to NHMA. The policy position is relative to allowing virtual participation to count toward the quorum requirement.

Action

The following motion is offered for City Council consideration:

MOVED, that the Lebanon City Council submits the proposed policy position which would allow for virtual participation by members of a public body to count toward the requirements regarding a quorum for consideration by the NHMA policy conference.

Included In This Section:

1. Policy position submitted by Councilor Wilkie.



New Hampshire Municipal Association

Explanation of Proposed Policy

Submitted by (Name): Devin Wilkie Date: _____

Title of Person Submitting Policy: City Councilor

City or Town: Lebanon Phone: _____

To see if NHMA will SUPPORT/OPPOSE:

Support legislation allowing for remote participation in municipal meetings to be counted towards quorum.

Municipal interest to be accomplished by proposal:

Membership and participation in volunteer boards and committees.

Explanation:

Municipalities face ongoing challenges staffing boards and committees and legislation of this sort would remove a barrier that makes it more difficult for parents and residents in the workforce to join and attend boards and committees. It would also allow boards and committees to meet when members are sick or traveling, which has posed a challenge.

A sheet like this should accompany each proposed legislative policy. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal and an explanation that describes the nature of the problem or concern from a municipal perspective and discusses the proposed action that is being advocated to address the problem. Mail to NHMA, 25 Triangle Park Drive, Concord, NH 03301; or e-mail to <mailto:governmentaffairs@nhmunicipal.org> ***no later than the close of business on April 15, 2024.***