



LEBANON CONSERVATION COMMISSION
NOVEMBER 14, 2024 - 6:30 PM
MEETING ROOM 1, 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: 893 337 011#). If you have trouble accessing this meeting, please [email mark.goodwin@lebanonnh.gov](mailto:mark.goodwin@lebanonnh.gov)

2. Approval of Minutes

- A. October 10, 2024

3. Open to the Public

4. Permit Review

- A. None

5. Study Items

- A. Zoning Amendments Review and Discussion
B. Northern Lebanon Community Plan - Summarized
C. Status Update & Review - 2024 Con Com Goals

6. Committee Reports

- A. Biodiversity Group (Invasives)
B. Stewardship
- Ranger
-Trail Coordinator
-Monitors and Stewards
C. Wild about Lebanon
D. Amphibian Crossings
E. LUCT/Current Use
F. Other Subcommittees

7. Other Business

- A. FYIs
B. Follow Up
C. Workshops and Educational Opportunities

8. Future Agenda Items

9. Adjournment

The order of agenda items is subject to change.

Lebanon Conservation Commission Agenda
November 14, 2024

Meetings are open for in-person and remote attendance. Members of the public that wish to attend remotely may do so by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupts virtual or phone connection(s), the meeting will continue without remote access capabilities.

DRAFT

**LEBANON CONSERVATION COMMISSION
REGULAR MEETING MINUTES
Remote Via Microsoft Teams
LebanonNH.gov/Live
Thursday, October 10, 2024
6:30 PM**

MEMBERS PRESENT: Sarah Riley (Chair), Bruce James, (Vice Chair), Susan Almy (Alt), Erling Heistad, Brandon Hill, Barbara Hirai, Chris Johnson, Donald Lacey, Ernst Oidtmann

MEMBERS ABSENT: Sean Dittrich (Alt.), Brandon Hill (Alt)

STAFF PRESENT: Mark Goodwin (GIS Coordinator)

1 **1. CALL TO ORDER – Chair Riley called the meeting to order at 6:33PM**

2
3 **2. APPROVAL OF MINUTES:**

4
5 *Donald Lacey MOVED to approve September 12, 2024 Minutes as amended. The motion was*
6 *Seconded by Erling Heistad.*

7
8 **Amendments:**

9 Page 1, line 7 should be approval of the minutes from August 8, not May 9th.

10 Page 2 places in the minutes where Barrows is continued to be misspelled. The correct spelling is
11 Barrows.

12 Page 4, line 7 change Bill parcel to Mill parcel

13 Page 4, line 31, drop the final e in the name Linell

14 Page 5, lines 20 and 21 – strike and replace with “Chair Riley would like to talk with Ms. Almy regarding
15 environmental justice issues at the state level

16 Page 6, line 3,4, strike and replace with “a link to a video on the water quality certification process
17 associated with the licensing of the Wilder Dam”.

18 Page 6, strike lines 6&7 and replace with “Chair Riley said that DES approved the permit by notification
19 for the City to install monitoring wells for the alternative drinking water project at these locations:”

20 Page 6, line 18, should read “Green the Ground”
21
22

23 ** The Vote on the MOTION was approved (8-0).*
24

25 **3. OPEN TO PUBLIC:**

26
27 A. No one from the public spoke.
28

29 **4. PERMIT REVIEW: NONE**

30
31 **5. STUDY ITEMS:**

A. Discussion RE: Northern Lebanon Community Plan (NLCP)

Mr. Goodwin facilitated the review and discussion this evening with the focus on natural resources. The Conservation Commission will discuss the Strategic Goals and Recommendations prepared by VHB Strategy 1, Preservation of and Enhanced Access to Natural Resources 1.1 through 1.9 of the recommendations from VHB. The planning director will attend the next meeting to address any questions and concerns about this evening's meeting.

Mr. Goodwin prepared a working document that isolated the items related to natural resources (1.1-1.9) starting with the wildlife corridor as this has the most action items within the plan. Mr. Goodwin has worked on this wildlife corridor in this area for the past 22 years, and clearly the City of Lebanon planning has made a positive difference here. Mr. Goodwin stated that the connection to the three crossing locations has for the most part been accomplished. It is the connection from the eastern crossing to Signal Hill where the gap exists. He would like the Conservation Committee to look at each item, and consider:

Do we understand what this document is asking for?

Do we agree with it?

Do we modify it?

Do we start fresh?

Action items discussed today:

1.1

Strategic goals and recommendations (pg. 30 & 31): The first recommendation is to formalize maps; what is meant by "formalize map"? Efforts should continue to reflect preserving wildlife corridors (aka crossings), to allow for safe passage of black bear, moose, migratory species (aka umbrella species), etc., that allow many other species to live there. Signal Hill and Nicole Coleman Memorial Preserve would be ideal to connect to the current encumbered wildlife areas. Right now, these are wide open for development. Overall goal is a minimum of 1000', uninterrupted, as a "pinch point" for wildlife, which has been achieved in these areas including Rick's Ledge, undeveloped currently and have about 1000' minimum corridor through there for wildlife passage. Land use perspective has been addressed in these areas.

From Rick's Ledges to Etna Road, at Signal Hill, this land has all been cleared and the landowner is willing to have this as an open space which would allow for connectivity of wildlife passing.

The planning picture is missing one key piece, needing to decide where the open spaces should be to allow for corridor connectivity and Mr. Goodwin knows where this needs to be (priority conservation area in the ideal location of land currently available).

North of Timberwood is already protected 600'. When the next adjoining parcel is involved, this should allow the opportunity to further conserve closer to the 1000' requirement.

Chair Riley voiced concern about what is missing from this information in this report. She suggested they compile all the recommendations from the wildlife study as well as the NRI. Ms. Almy asked if they can require for the safe passage of wildlife.

The report does not mention the iron fence which runs down the middle of the whole strip on Mt. Support (Timberwood on right side encumbrance) and the fence goes to the bottom, so it does not allow much wildlife to get through, and therefore does not add value. Also, the fence does not provide for safety.

1 From what is known, the fence is not a mandate but rather a *guideline* whenever there is a bank that
2 exceeds a ratio.

3
4 Ms. Harai suggested that the fence needs to be prioritized. Mr. Lacey asked who approves fences and he
5 thought they had an agreement at one point to take down some of the fences. Mr. Goodwin encouraged
6 them to bring this to the Operations DPW City Manager since the Conservation Commission thinks this
7 fence is a problem and would like to see action taken to have it removed. The Conservation Commission
8 will include this request along with their rationale, in their communications.

9
10 Mr. Goodwin said signage will need to be a specific recommendation by this Commission and that they
11 must establish the rationale for their recommendations. Signage needs to be put well in advance of the
12 crossings. State roads are maintained by the State. Signage raises awareness, especially the dynamic
13 signs.

14 15 1.2

16 Traffic calming measures (impact / around the wildlife (e.g. street trees, sidewalks, etc.) are in the
17 document. A member asked how do you get people to comply with the current speed limits, since
18 enforcement is the other part of traffic calming. The goal is to affect the behavior of drivers. Mr. Lacey
19 proposed that the speed will decrease when you narrow the driving lane(s). Mr. Goodwin suggested that
20 there might be more current options available other than decreasing speeds, and these need to be delved
21 into.

22
23 Mr. Oidtmann suggested speed bumps as these typically help slow people down. It was agreed that the
24 Conservation Commission should suggest this request be put in front of the experts and Mr. Goodwin said
25 that this can fall under one of the action items that the Conservation Commission is charged with. These
26 need to be flushed out as they are not clear. This Commission can decide on the next steps.

27
28 The plan calls for “upsizing the existing culverts” for all three wildlife corridors. Mr. Goodwin will
29 investigate how many culverts are on 120 so if one fails, the City can make the DOT aware of these and
30 include these in any recommendations. They will either add the wildlife study recommendations to this
31 current study or make two different recommendations.

32 33 1.3

34 What would a public facing educational documents look like and where would these be distributed?
35 Social media? Mass mailing? Digital billboards on SR 120? DOT needs to agree. It was also noted that
36 some wildlife pamphlets already exist digitally.

37 38 1.4

39 Buffers of 100’ are recommended for any new development. The Conservation Commission is interested
40 in this but agreed that more needs to be addressed since this footage seems small and perhaps arbitrary
41 given some parcels of land abut to conservation lands. Mr. Goodwin said that each situation is different
42 and therefore this needs to be customized for each project. Individual homes are not impacted by these
43 rules.

44
45 Chair Riley asked if this recommendation has been presented or reviewed by other City entities, but the
46 answer is unknown. Mr. Goodwin said that this 100’ buffer concept is solid but depends on each
47 individual situation. Chair Riley suggested that we come up with some specific examples.

48
49 Mr. Lacey stated that the planning board has the authority to enforce these buffer rules, and if there was a
50 sound reason, they would probably prevail.

Ms. Almy asked what “landscaping” means; this is very broad. She also stated that for the future she thinks they need to look at these properties for long term preservation.

1.5

Trailhead kiosks (signage and directions) – The Conservation Committee has been adamant that there should be no hiking or biking trails, this is preservation land. Not “trailheads”. Mr. Lacey stated where trails do exist, signs should be accurate and maintained. Ms. Almy stated that their wildlife lands are becoming recreational lands so the Conservation Commission needs to think about this as she’s concerned about how much wildlife will be left, and we continue to lose the value of the conservation land.

Mr. Lacey said to be sure that there are trails for people that will have the minimal impact on wildlife. This is the goal. Mr. Oidtman thinks these lands are at risk and so we need to allow certain trails and disallow others, particularly to the biking people.

Signage is important and directional signage as well, but we need to have control over how many trails there are. Each new development cannot have trails. Chair Riley suggested bringing in fish and games and doing a workshop to help with these efforts of minimizing the impact on wildlife. Mr. Lacey also suggested closing off trails for periods of time to help the biodiversity of wildlife in these ecosystems.

1.6

This recommendation is to mandate a percentage of new developments that have dedicated public open spaces such as landscape plazas, community gardens and/or pocket parks. Chair Riley said this could help keep people away from wildlife spaces. Mr. Johnson said this is a “nice to have” but would be lower on priorities that the Conservation Commission takes to the Planning Board/ short list so that Conservation Commission is heard. Ms. Riley said that what counts as open space has been addressed before. The Conservation Committee asked whether this would be part of conservation or not Tier 1 or Tier 2? Mr. Lacey suggested the Conservation Commission coordinates with Park & Recreation so that the two complement each other’s efforts and mutually benefit.

Mr. Oidtman commented that these areas can generate a lot of trash so they should include a recommendation about these open spaces and the fact that they must be maintained.

1.7

DHMC – approach about a three-parcel assemblage Chair Riley said the southern part is a part of the wetlands (north of the roundabout). The proposal is for a large community park for all three. Chair Riley suggested using what is already cleared, and to not touch these wetlands. Ms. Hirai asked where all these people would park. Chair Riley suggested a “pocket park” with the goal being zero impact or loss, on any wetlands, trees, wildlife, etc. Possibly remove this entire section or consider a small “pocket park” for pedestrians only and no parking.

1.8

Future development- Chair Riley said this is missing any recommendation about a buffer. Mr. Goodwin said that these need to be addressed on a case-by-case basis, so they address which wetlands need protection. Ms. Almy asked if roads are included in this 250’ buffer recommendation. Mr. Goodwin suggested the planning board address this matter, as he feels this has been addressed previously and this requirement already exists.

Chair Riley and Ms. Almy recently watched a video called Wetlands for Wildlife and has seen where at 300’ buffer is a possibility. She would like to know where this 250’ recommendation comes from. There is a difference between setbacks and buffers, and where you must leave vegetation - she prefers the latter. Ms. Harai suggested they learn which of these have the greatest impact.

1
2 It would be prudent to be sure each group is using the same terminology, so they are clear on the
3 vocabulary. Chair Riley asked to discuss this with the crafter of this recommendation so that they can
4 understand it thoroughly.

5
6 1.9

7 Steep Slopes District is already an action item in their strategic plan.

8
9 B. Review of Proposed Con Com letter for the Lebanon Planning Board: Densmore Brickyard
10 Project.

11
12 Mr. James' proposed letter highlights key issues about the Brickyard, - he has drafted a letter/the CC goal
13 is to be at table during the process and negotiations, as this group has the expertise and knowledge and
14 history of this area.

15
16 Mr. James suggested this letter come from the Conservation Commission rather than him, as a private
17 citizen. He will read this letter or summarize it and provide copies to the Planning Board next Tuesday.
18 He'll incorporate comments from this meeting into his letter. The Conservation Commission agreed that
19 Mr. James can represent them. The Conservation Commission wants the opportunity to be involved with
20 the Planning Board, and both could be more effective and efficient if this is done at earlier stages,
21 particularly as relates to wetlands. The Conservation Commission is a resource, ready to help. Mr. James
22 is an expert in this field, and is a soil scientist, an environmental chemist, and he was a Professor of
23 Environmental Science.

24
25 Mr. Lacey also has concerns about the mining and land fill, the airport, and the big alterations of land,
26 and about long-term needs and stressed the need for our wetlands and hillsides, like in downtown
27 Lebanon. The exact details are unknown, but it is predicted that this area will get warmer and wetter, and
28 we need those wetlands and hillsides to protect downslopes. There is a longer term need that needs to be
29 addressed now.

30
31 Chair Riley also voiced her concerns about the proposed rezoning, and how this might affect water flow
32 changes and flooding in the future. While wetlands are protected, this still is essentially turning wetlands
33 into developed areas. She is concerned about how calculations are made now. She thinks the hillsides act
34 as sponges, and if these are gone, what will happen, and much more might be lost than is anticipated.

35
36 Ms. Almy suggested that Mr. James documents be made available and part of the public record. He will
37 also have hard copies for meeting attendees.

38
39 Chair Riley commented on the alteration of terrain referenced in Mr. James' letter and stated that her
40 understanding is that while the City gets a copy, typically she thinks that the City does not comment on
41 these. She would like to see this change. For this project, she suggested the Conservation Commission ask
42 that both the Planning Board as well as this Conservation Commission get notified, at the very least. This
43 would require the City Clerk to change their current procedure. Mr. James will modify the paragraph to
44 ask for this. To provide long term input for an ecological landscape, sustainability and resilience. This
45 cannot be done piece by piece.

46
47 C. Status Update & Review – 2024 Con Com Goals

48 This will be discussed in next month's meeting.

49
50 6. COMMITTEE REPORTS: None

51
52 7. OTHER BUSINESS: None

1

2 **8. FUTURE AGENDA ITEMS:** None

3

4 **9. ADJOURNMENT:**

5

6 **Mr. Heistad *MOVED* for adjournment.**

7 **Seconded by Ms. Hirai**

8

9 ***The meeting was adjourned at 9:00PM**

10

11 Respectfully submitted,

12 Cinda Mersel

13 Recording Secretary

DRAFT MISCELLANEOUS MINOR AMENDMENTS TO THE CITY OF LEBANON ZONING ORDINANCE

[...]

ARTICLE II GENERAL PROVISIONS

[...]

SECTION 201 YARD REQUIREMENTS.

Except as otherwise provided herein, no **building** or **structure** other than accessory structures and buildings of 130 sq. ft. or less per Section 201.8 below shall occupy any part of any yard required by ARTICLE III, except that **architectural details** may extend not more than two (2) feet into any required yard and stairs and stairwells may extend not more than six (6) feet into any required yard.

[...]

SECTION 212 ~~ANTI-NUISANCE STANDARDS(reserved).~~

~~212.1 General.~~

~~No use shall emit noise, odors, dust and smoke that is obnoxious, harmful or a nuisance to abutting properties or the neighborhood. Noise, odors and dust emitted by farming uses, including the keeping of livestock and poultry, that were existent as of the date of enactment of this Ordinance are exempt from this provision.~~

~~212.2 Noxious Gases.~~

~~No use shall emit any noxious gases which endanger the health, comfort, safety or welfare of any person, or which may have a tendency to cause injury or damage property, business or vegetation.~~

~~212.3 Vibration.~~

~~No use shall cause, as a result of normal operations, a vibration which creates displacement of 0.002 of one inch.~~

~~212.4 Vision Impairment.~~

~~No use shall have lighting or signs which create glare which would impair or obstruct the vision of a driver of any motor vehicle.~~

~~212.5 Fire, Explosion or Safety Hazard.~~

~~No use shall be such so as to potentially cause a fire, explosion or safety hazard.~~

SECTION 213 IMPACT FEES.

[...]

213.8 Waivers.

[...]

B. The Planning Board may grant full or partial waivers of impact fees to an assessed property where the Board based on credible evidence presented by the applicant finds that one or more of the following criteria are met with respect to the particular public capital facilities for which impact fees are normally assessed:

1. An assessed property may apply to the Planning Board for a full or partial waiver of impact fee assessments imposed by this Ordinance on the basis of other contributions toward public capital facilities. The amount of such a waiver shall not exceed the value of land, facilities construction, or other contributions for public capital facilities. The value of on-site and off-site improvements which are required by the Planning Board as a result of subdivision or site plan review, and which would have to be completed by the developer, regardless of the impact fee provisions, shall not be considered eligible for waiver under this Ordinance. The value of contributions or improvements shall be credited only toward facilities of like kind, and may not be credited to other categories of impact fee assessment. All costs incurred by the City for the review of a proposed waiver, including consultant and counsel fees, shall be paid by the applicant.
2. The Planning Board may waive an impact fee, in whole or in part where, in the opinion of the Board, in consultation with the Board's legal counsel, such fee would, due to interference with constitutionally-vested rights, pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of this Ordinance.

A waiver request made pursuant to this subsection shall be considered at a public meeting of the Planning Board but shall not require a public hearing or notice to abutters. Notwithstanding the foregoing, notice of the Board's consideration of the waiver request shall be posted in at least two (2) public places and shall be published in a newspaper of general circulation in Lebanon not less than ten (10) nor more than thirty (30) days before the date of the meeting at which the request will be considered.

[...]

SECTION 215 LOCATION OF ACCESSORY USE.

215.1 General.

An accessory use shall be permitted only upon the same lot where its respective primary use lawfully exists. In the case of lots in two or more zoning districts, an accessory use

shall be permitted only on that portion of the **lot** where its respective primary use is permitted.

215.2 Exceptions.

Notwithstanding Section 215.1:

- A. An ~~accessory use~~ shall be permitted only upon the same ~~lot~~ where its respective primary use lawfully exists, except that (i) a **driveway** may cross over an adjacent **lot** provided that the use the **driveway** serves is a permitted use on the **lot** over which the **driveway** crosses, provided the affected property owners jointly apply for a zoning permit. In the case of a driveway providing sole access to the lot, the zoning permit application shall include a copy of an easement securing the perpetual right to utilize the driveway and identifying maintenance responsibilities. and (ii) a
- B. A common **driveway** serving not more than two adjacent **lots** is also permissible provided that the use(s) the common **driveway** serves is (are) permitted use(s) on the **lot(s)** over which the common **driveway** crosses, and provided the affected property owners jointly apply for a zoning permit, the application for which shall include a copy of an easement securing the perpetual right to utilize the driveway and identifying maintenance responsibilities. In the case of lots in two or more zoning districts, an ~~accessory use~~ shall be permitted only on that portion of the **lot** where its respective primary use is permitted.
- C. Utility improvements including but not limited to stormwater management facilities located on an abutting lot may be approved by **conditional use permit** provided that, in addition to the findings required by Section 302.4.D, the Planning Board finds that (a) a lot line adjustment between the two properties is impractical and (b) such arrangements are formalized in a draft legal instrument acceptable to an attorney representing the City and submitted with the Conditional Use Permit application for approval by the Planning Board.

[...]

ARTICLE V SUBDIVISIONS AND PLANNED DEVELOPMENTS

[...]

SECTION 507 ~~DENSITY BONUSES FOR CERTAIN PLANNED DEVELOPMENT.~~

PURD's, PRecs, and ~~manufactured housing parks~~PURDs, and multi-family developments in the R-1 District and R-2 District may receive an increased density bonus pursuant to Table 507.1 and the provisions of this section.

507.1 Increased Density Bonuses.

Maximum Amount of Bonus Available

<u>Type of Development</u>	<u>For Use of Technique</u>	<u>For Workforce Housing</u>	<u>For Energy Efficient Design</u>	<u>For Renewable Energy Systems</u>
PURD or PRec	12%	10%	10%	10%
Manufactured housing PURD	12%	----	10%	10%
<u>Multi-family development in the R-1 and R-2</u>	<u>----</u>	<u>10%</u>	<u>10%</u>	<u>10%</u>

507.2 Criteria for Award of Bonus.

The Planning Board may allow a gross density of development greater than allowed under Article III of this Ordinance for PURDs, PRecs, manufactured housing PURDs, or and multi-family developments in the R-1 District and R-2 District ~~PRecs~~ up to a maximum bonus allowed by Table 507.1. The Planning Board may approve a density bonus for any one or more of the categories identified in Section 507.1. Density bonuses granted pursuant to this section shall be cumulative. The following guidelines shall be used in determining whether a bonus shall be awarded.

[...]

SECTION 509 COTTAGE DEVELOPMENTS.

[...]

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

- A. Individual Cottage Spaces. ~~For each detached cottage, the~~ The site plan approved by the Planning Board shall delineate a regularly-shaped building site for each ~~detached cottage~~ of no less than 1,500 sq. ft. Each such building site shall be usable and may not include wetlands and/or steep slopes.

[...]

- I. Site Plan Review. **Cottage developments** shall demonstrate compliance with all applicable design requirements of the Site Plan Review Regulations. Consequently, applicants are required to apply for Site Plan Review contemporaneously with applying for a Conditional Use Permit.

[...]

ARTICLE VI ADDITIONAL STANDARDS FOR SPECIFIC USES

[...]

SECTION 604 GROUP DAY CARE FACILITIES.

[...]

604.3 ~~Family Day Home-Based~~ Care Home.

~~Home-based care (*family day care home* and *family group day care home*) The care in the home of six (6) or fewer children (inclusive of children under 6 years old who live in the home) is allowed as an accessory use to any primary residential use permitted in any residential-use district as long as all requirements for such programs adopted in rules of the New Hampshire Department of Health and Human Services (He-C 4002) are met, and no zoning permit is required, provided that persons living off the premises are not employed. If persons living off the premises are employed, such child care is a home business subject to the requirements of Section 600 (home business permits).~~

The care in the home of more than six (6) children (inclusive of any children under 6 years old who live in the home) is a **group day care facility** under this Ordinance.

[...]

SECTION 607 PARKING.

607.1 ~~Table of~~ Minimum Off-Street Parking Requirements.

[...]

~~D. For residential uses as defined in RSA 676:16-a, I, an alternative parking solution as that term is defined in RSA 676:16-a, I, may be authorized by the Planning Board notwithstanding the requirements of the Table of Minimum Off-Street Parking Requirements pursuant to RSA 676:16-a ("On-Site Parking Requirements).~~

TABLE OF MINIMUM OFF-STREET PARKING REQUIREMENTS
(Rounded down to the nearest whole - See Section 607.2)

TYPE OF USE	UNITS OF MEASUREMENT	PARKING SPACES PER UNIT (I.E. RATIO)
RESIDENTIAL		
<i>Dwelling, One-family/Two-family</i> detached and attached	<i>Dwelling units</i>	2.0
<i>Dwelling</i> , Studio Apartment	<i>Dwelling units</i>	1.0

TYPE OF USE	UNITS OF MEASUREMENT	PARKING SPACES PER UNIT (I.E. RATIO)
Dwelling , Apartment, One-bedroom and up	Dwelling units	1.5
Senior Housing	Dwelling units	1.0
Group residence	Residents	0.33
Lodging house	Rental units	2.0 base + 1.0/bed
<u>Cottage development</u>	<u>Cottage</u>	<u>1.0</u>

[...]

607.8 Electric Vehicles.

[...]

C. EV Infrastructure Requirements / Off-Street EV Parking Requirements. **EVSE-installed spaces, EV-ready spaces, and EV-capable spaces** shall be provided as follows:

1. One- and Two-Family Dwellings. All new **one-** and **two-family dwellings** shall provide at least one (1) **EV-ready** space per **dwelling unit**.
2. Multi-Family Dwellings. Parking for **multi-family dwellings and senior housing complexes** shall include a minimum of 65% of EVSE-installed, EV-ready, and EV-capable spaces as follows:
 - a. **EVSE-installed spaces** for a minimum of 5% of proposed **off-street parking spaces**.
 - b. **EV-ready spaces** for a minimum of 20% of proposed **off-street parking spaces**.
 - c. **EV-capable spaces** for a minimum of ~~65~~40% of proposed **off-street parking spaces**.
3. Non-Residential Uses. Parking for uses requiring or proposing to provide 30 or more **off-street parking spaces** shall include a minimum of 50% of EVSE-installed, EV-ready, and EV-capable spaces as follows:
 - a. **EVSE-installed spaces** for a minimum of 2% of proposed **off-street parking spaces**, with a minimum of two **EVSE-installed spaces**.
 - b. **EV-ready spaces** for a minimum of 10% of proposed **off-street parking spaces**.
 - c. **EV-capable spaces** for a minimum of ~~50~~38% of proposed **off-street parking spaces**.

[...]

SECTION 608 SIGNS.

[...]

608.2 General Provisions.

[...]

- C. Enforcement. Any **sign** displayed or erected which is not authorized by this Section and/or is not in compliance with all applicable regulations set forth herein shall be removed, and shall be subject to all available enforcement options pursuant to NH RSA Chapter 676.

In the course of investigating a brightness or luminance complaint, the Planning and Development Department may request a certification of the brightness or luminance by an independent contractor. If the investigation and certification indicate that the sign exceeds any applicable brightness or luminance levels specified in Section 608, the owner of the sign shall turn off the sign until the brightness or luminance of the sign is brought into compliance within twenty-four (24) hours of a request.

[...]

608.3 Prohibited Signs.

The following are prohibited:

[...]

- C. **Non-static signs**, except **digital signs** as may permitted according to Section 608.2.H.3 and Section 608.4.A.7 ("Freestanding Digital Signs").

[...]

608.4 Non-Residential Uses.

- A. Non-Residential Uses in Commercial and Industrial Districts. Signage for non-residential uses in the **commercial** and **industrial districts** shall be subject to the following requirements:

[...]

4. Freestanding Signs. A **lot** in the **commercial** and **industrial districts** may display one **freestanding sign** subject to the following regulations:

- a. Sign Area and Height Regulations.

- i. **Freestanding signs** must comply with the dimensions set forth in the following table:

	Zoning District					
Maximum	GC & GC-1	CB	LD	IND-L	IND-RA	IND-H
height	25 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.
sign area	64 sq. ft.	32 sq. ft.	24 sq. ft.	64 sq. ft.	64 sq. ft.	64 sq. ft.

- ii. Strip Plazas and Multi-Tenant Buildings. A **freestanding sign** for a property improved with a **strip plaza** or **multi-tenant building** may exceed the maximum **sign area** set forth in Section 608.4.A.4.a.i by up to 50 percent, except in the CB and LD Districts.
- iii. Height. For purposes of measuring the height of a **freestanding sign**, height shall mean the vertical distance measured from grade at the edge of the adjacent right-of-way to the highest point of the **sign** structure.
- iv. The size of a **freestanding sign** may exceed the maximum **sign area** set forth in Section 608.4.A.4.a.i by up to 15 percent in order to accommodate numerals identifying the property address or building address, or for a **freestanding sign** on a property improved with a **strip plaza** or **multi-tenant building**, by up to 15 percent in addition to the increase in **sign area** allowed per Section 608.4.A.a.ii.

[...]

e. Freestanding Digital Signs. **Freestanding signs** may incorporate a **digital sign** subject to the following:

- v. **Freestanding digital signs** are only allowed in the General Commercial (GC) on properties with frontage on the following streets:
- vi. No more than one (1) display per hour shall be allowed.
- vii. Displays shall contain static messages only.
- viii. **Freestanding digital signs** shall be programmed to automatically freeze in a single display in the event of a malfunction or computer/system error.
- ix. The Planning and Development Department shall be provided with an on-call contact person and phone number for each **freestanding digital sign**. The contact person must have the ability and authority to make immediate modifications to the displays and lighting levels should the need arise.
- x. The **digital sign** portion of a **freestanding digital sign** may be no larger than 50% of the **sign area** of the **freestanding digital sign**.
- xi. No **freestanding digital sign** may be located within one

hundred (100) feet of a residential dwelling.

xii. **Freestanding digital signs** shall operate with no more than 0.3 foot candles at the property line.

xiii. If a **freestanding digital sign** is located in the line of sight of a residential dwelling, such sign shall not operate at brightness levels of more than one-tenth (0.1) foot candles above ambient light levels (at measurement conditions) as measured to the nearest property line of the residential dwelling from the electronic sign.

[...]

6. Illumination. **Signs** may have either **external illumination** or **internal illumination**, subject to the following:

[...]

- d. Maximum Luminance. Luminance ~~An illuminated sign shall measure operate with~~ no more than 0.3 fc ~~above ambient light conditions at the property line.~~

[...]

ARTICLE VIII BOARD OF ADJUSTMENT

[...]

SECTION 801 POWERS AND DUTIES.

The powers and duties of the Board shall be as prescribed by NH RSA 674:33, as amended. The powers and duties are:

801.1 Administrative Appeals.

As set forth in RSA 676:5, I, appeals to the Board concerning any matter within the Board's powers as set forth in RSA 674:33 may be ~~made taken~~ by the applicant, an abutter as defined by RSA 672:3, any person aggrieved or by any officer, department, board, or bureau of the municipality affected by any decision of the administrative officer. In exercising this power, the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order or decision as ought to be made, and to that end shall have all powers of the officer from whom the appeal is taken.

[...]

802.5 Rehearings and Appeals.

As provided by NH RSA 677:2, as amended, within 30 days after any order or decision of the Board, any party to the action or proceeding or any abutter as defined by RSA 672:3 ~~person directly affected by it~~ may apply for a rehearing.

[...]

APPENDIX A DEFINITIONS

[...]

ABUTTER: This term shall have the meaning as set forth in RSA 672:3, as amended. Abutter means the owner of record of a lot located in New Hampshire and which adjoins or is within two hundred (200) feet (including across the street or waterway) of the subject lot. In the case of an abutting lot being under a condominium or other collective form of ownership, the term "ABUTTER" means the officers of the collective or association, as defined in RSA 356-B: 3, XXIII. Additionally, the individual owners of condominium units which are located on a parcel within two hundred (200) feet of the subject lot shall be notified only by first class mail. any person whose property is located in New Hampshire and adjoins or is directly across the street or streams from the land under construction.

[...]

FAMILY DAY CARE HOME: This term shall have the meaning as set forth in RSA 170-E:2, IV(a), as amended

FAMILY GROUP DAY CARE HOME: This term shall have the meaning as set forth in RSA 170-E:2, IV(b), as amended

[...]

SIGN, DIGITAL: A *non-static sign* or portion of a *sign* that changes appearance by any electronic process or remote control.

Commented [TC1]: Existing definition. Included here for reference.

[...]

SIGN, FREESTANDING DIGITAL: A *freestanding sign* that incorporates a *digital sign*.

DRAFT

The Northern Lebanon Community Plan study recommendations were reviewed by the Lebanon Conservation Commission during the October 2024 meeting. This document serves to capture the feedback from that discussion. During the November 2024 Lebanon Conservation Commission meeting, this document will be edited and reviewed as necessary, and returned to the Planning Department in an effort to further the implementation of such.

===== The following recommendations are an excerpt from the Northern Lebanon Community Plan, including the specific wildlife corridor and natural resource associated recommendations. =====

Strategic Goals and Recommendations

Building upon the vision statement are a set of strategic goals and actionable recommendations centered around the preservation of natural resources, enhanced connectivity and mobility, and modifications to the existing zoning of the Study Area that will allow the City of Lebanon to realize its vision.

Strategy 1. Preservation of and Enhanced Access to Natural Resources

Preserve and enhance the Study Area's existing natural character by protecting existing conservation areas, wildlife corridors, and ecosystems, while providing additional recreational opportunities and enhanced connections to existing natural assets for residents, visitors, and employees that frequent the Study Area.

› Recommendation 1.1. Formalize and map a 100-ft wide Wildlife Corridor Passage Overlay District that connects the three existing wildlife corridors, preserving the existing natural features and landscape to allow for the safe passage of wildlife, and require the installation of signage at all existing and new multi-use path and roadway crossings that bisect the overlay district boundary.

Next Step: Unsure as to “formalize” and Map 100’ wide Wildlife Corridor Passage Overlay District. The corridor from the Landmark Lands, across Mt Support Road and Route 120, to the Nicole Corman Nature Preserve, is all encumbered land. There are opportunities to enhance the width of the corridor by expanding to land on one or two parcels, and that could be accomplished either by landowner outreach and a conservation proposal or could be part of a Planning Board site plan approval process.

Installation of signage where the multi-use path could be a way to showcase the corridor if deemed worthy? The location of signage where roadways intersect are likely better served to align previous recommendations, including the concept of alerting vehicles well in advance of the corridor.

› Recommendation 1.2. Study the feasibility of decreasing traffic speeds and upsizing the existing culverts for all three existing wildlife corridors within the Study Area.

Next Step: Existing Speed limits are adequate and unlikely to be lowered with the volume of traffic served. Enforcement of existing speed limits are likely the more relevant action. Understanding what enforcement measures are already in place and collaborating with the Lebanon Police as to suggesting additional enforcement measures could be beneficial, such as flashing speed signs, etc.

Culvert upsizing opportunities are limited to four or five locations in total occurring on Mt Support, Route 120, and Etna Road, with the best candidate existing along Route 120. NH DOT manages roadway improvement and culvert replacement projects on Route 120. CoL staff should share the recommendations with the NH DOT contact.

› Recommendation 1.3. In partnership with the Lebanon Conservation Commission and the New Hampshire Fish and Game Department, develop public-facing educational materials on the importance of the wildlife corridors and make them available at key City facilities.

Next Step: Likely simply added to the list of topics that ConCom/CoL pushes out as part of the public educational messaging.

› Recommendation 1.4. If a parcel of developable land borders conservation lands, consider requiring a 100-foot, wooded or landscaped buffer between the property line and any new development to maintain a natural buffered area between existing preserved lands and any new developments.

Next Step: Would a broad reaching zoning requirement as such have more unintended consequences than desired ones? Would defaulting to the Planning Board development review process, including conditioning approvals to include an appropriate distanced buffer when deemed necessary to avoid adverse impacts to the corridor be a better technique?

› Recommendation 1.5. Install signed and directional trailheads throughout the Study Area to promote the use of the extensive network of trails through existing conservation lands in and around the Study Area.

Next Step: None as the Lebanon Conservation Commission reviewed this proposed action and did not see it's association with the goals to preserve the ecological integrity of the area.

› Recommendation 1.6. Mandate a percentage of new developments require dedicated public open space in the form of a landscaped plaza, pocket park, or a community garden.

Next Step: - see previous note regarding PB process and conditioning of development approvals.

› Recommendation 1.7. Approach DHMC regarding their three parcel assemblage north of Lahaye Drive (Parcel IDs 10-23, 10-24-200, and 10-25 for a total of approximately 9 acres) to gauge their willingness to dedicate the land to the City for the purposes of creating a community park inclusive of amenities and programming of appropriate scale and size to reflect the land's existing natural features.

Next Step: ConCom reviewed and discussed during the October 2024 meeting and expressed lukewarm interest in the concept, as well as whether they would be the appropriate body to spearhead this initiative?

› Recommendation 1.8. Require that any future development within 250-feet of wetlands include a certain percentage of total site land cover as permeable surfaces.

Next Step: Planning staff to provide a walk-through of the proposal.

› Recommendation 1.9. Expand the coverage area of the Steep Slopes District to cover the entirety of the Study Area where slopes greater than or equal to 25-percent are located in order to preserve the natural character of neighboring conservation lands, ridgelines, and rock formations.

Next Step: Additional analysis to determine whether any of the steep slopes are outside of what is already encumbered land, and if so, do they warrant zoning protection?

Goals for 2024

The Commission engaged in a lengthy discussion regarding desired goals for the coming year, as summarized via the following outline:

Property Stewardship

- Forest Management Plans (review existing and determine gaps) and more engagement related to recommended action/activities (MP 5.4b.2) (2024 focus on Boston Lot)
- Review gaps and needs for infrastructure, e.g., footbridges, etc. (MP 5.4b.2)
- Signage/Kiosks/Map resources (MP 5.4b.2) (SP 5.7.2)
- Trail Maintenance (ongoing care of existing trails) (MP 5.4b.2 & MP 5.4b.5) (SP 5.7.3)

~ Collaborate with the Nature Conservancy on the Elm Tree Restoration project (SP 5.6.1)

New 2024yr: Pursue Alana Cole trail for compliance with ADA access (an existing MP action item; possible Strategic Plan item)

Education / Outreach

- Workshop for ConCom to increase awareness of aquifer/water resource status, including future plans. (MP 5.6a.7) (SP 5.8.1) *The who/when/what?*
- Increased ConCom knowledge of general topic of water resource (internal education for ConCom members) *The who/when/what?*
- Develop and disseminate public education materials regarding the importance of protecting our water supply sources (SP 5.8.1) (DES soak up rain, etc)
- Continued support for Wild About Lebanon (MP 5.6a.5) (SP 5.7.1)
- Host Amphibian Crossing Program (SP5.9.4)
- ~ Host annual Mascoma River clean-up (SP 5.8.3)
- Propose the creation of a **River Keeper position** to the City, including assigning role to an existing staff position; perhaps a contracted (consultant) position or volunteer position **New 2024 SP Item?**
- **New 2024yr** Participation with the pending Upper Valley Working Forest group

- Increased awareness and encouragement for land protection (MP 5.6a.4) *The who/when/what?*

Land Conservation

- Add to the conservation portfolio of conservation land within the City of Lebanon (MP 5.4a.1) (SP 5.6.2)
- Review and modify as needed existing regulations related to OS protection (e.g., ridgeline, aquifer, steep slopes, etc.) (MP 5.2b.2 & MP 5.5a.4) *Steep slopes* (SP 5.9.1)
- As part of the Wetland Permit process, have mitigation projects in the hopper to offer
- Work with the Upper Valley Land Trust regarding permanently protecting Baker's Crossing (SP 5.6.2)
- Implement recommendations from the wildlife corridor plans (SP 5.9.3)
- Examine the applicability of a vernal pool overlay district (SP 5.9.2)
- ~ Conduct review of existing steep slope regulations (SP 5.9.1)

Miscellaneous

- Increased communication regarding DPW maintenance activities, future well plans, stormwater initiatives (e.g., LID techniques, water quality protection, etc.) ??
- LOST Fund Investment Strategies *who/when/what?*
- Collaboration / Communication between ConCom and proposed redevelopment plans for West Lebanon *who/when/what?*
- ~ Evaluate Lebanon participation in the NH F&G doe harvest program (SP 5.6.3)
- ~ Innovative stormwater regulations existing in the Site Plan regulations to be migrated to the sub-division regulations as appropriate (SP 5.8.2)

~ **New 2024yr**: Incorporate green infrastructure to the max extent possible for the pending Exit 18 project.....MP action item **Request that it be put in the Strategic Plan.**

~ New 2024yr incorporate aquatic passage design within the CoL Culvert replacement program. 5.2.22 MP....does it get to SP ~ Incorporate **aquatic organism passage** and **wildlife friendly designs** into **culvert replacement projects** city-wide in line with NH Stream Crossing Initiative. (MP 5.2.22) does it get to SP

~ New 2024yr Work with DPW to **reduce road salt use** near sensitive habitat areas. SP Action Item?