



**LEBANON CITY COUNCIL
JANUARY 7, 2026 - 7:00 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

To participate in this meeting, please [join live via Microsoft Teams](#) or call 929-229-5356 (access code: 274 266 460#). If you have trouble accessing this meeting, please [email David Brooks](#).

1. Call to Order

The January 7, 2026 Lebanon City Council Meeting is hereby called to order.

2. Pledge of Allegiance

3. Public Forum Announcement by the Mayor

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

4. Open Council Discussion

5. Open to the Public

6. Recognitions: None

7. Approval of Minutes

A. MOTION TO approve the minutes as presented in the January 7, 2026 agenda packet.

8. Appointments

- A.
- Arts and Culture Commission, Gail Dokucu (Citizen Representative or Alternate Member)
 - Arts and Culture Commission, Honor Hingston (Citizen Representative or Alternate Member)
 - Arts and Culture Commission, Leonard Ridilla (Citizen Representative or Alternate Member)
 - Heritage Commission, Roxanne Benzel (Alternate Member)

9. Public Hearing Items

A. Petitioned Charter Amendment

A public hearing for the purpose of receiving public input on a petitioned amendment to the Lebanon City Charter, Article VI, Financial Management, §6.05, Budget Procedure, to impose a limit on annual budget increases in the amount to be raised by taxes in the City, and taking action to order the petitioned amendment to be placed on the ballot of the March 10, 2026 municipal election

- i. Presentation:
 - ii. Opening of the Public Hearing:
 - iii. Questions and Comments by the Public:
 - iv. Closing of the Public Hearing:
 - v. Council Deliberation & Action:
 - B. Ordinance #2025-14
A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 8, Airport Operations, Section 8.4, Airport Rules and Regulations, to amend the Airport Fuel Flowage Fees set forth in Exhibit 1, Fee Schedule, of the Airport Rules and Regulations
 - i. Presentation:
 - ii. Opening of the Public Hearing:
 - iii. Questions and Comments by the Public:
 - iv. Closing of the Public Hearing:
 - v. Council Deliberation & Action:
- 10. Old Business: None**
- 11. New Business**
- A. Review and Adoption of 2026 Annual Calendar
 - B. Appointment of 2026 Chair and Vice-Chair for Economic Development Commission
 - C. Welcoming Lebanon Policy Task Force
Review and Discussion of Diversity, Equity, and Inclusion (DEI) Commission Recommendation for Creation of Welcoming Lebanon Policy Task Force
 - D. Review and Discussion of LEAC Recommendation Concerning Refresh Policy for Lebanon Community Power
 - E. Proposed Zoning Amendments
Review and Set Public Hearings for January 21, 2026 and February 4, 2026:
Proposed Zoning Amendments for Council Adoption and for 2026 Municipal Ballot
- 12. City Manager Report**
- 13. Non-Public Session**
- 14. Adjournment**

Meetings are open for in-person and remote attendance. Members of the public who 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 disrupt virtual or phone connection(s), the meeting will continue without remote access capabilities.

Any person with a disability who wishes to attend this public meeting and needs additional accommodation, please contact the ADA coordinator at City Hall by calling 603-448-4220 at least 72 hours in advance so that the City can make any necessary arrangements.

Future Board/Committee/Commission Appointments:
Board/Committee: Conservation Commission
Position: Regular
Applicant: L. Madsen
City Councilor: To be Assigned

Lebanon City Council Agenda
January 7, 2026

Assigned Date: 12/04/2025

Board/Committee: Conservation Commission
Position: Regular
Applicant: P. Lee
City Councilor: To be Assigned
Assigned Date: 11/28/2025

Board/Committee: Lebanon Housing Authority
Position: Regular
Applicant: T. Foor
City Councilor: To be Assigned
Assigned Date: 12/10/2025

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

January 21, 2026

Public Hearings:

- A. Proposed Amendment to the Zoning Ordinance for 2026 Municipal Ballot
- B. Proposed Amendments to the Zoning Ordinance for Council Adoption

Old Business:

- A. Discussion of Placing a Question of Whether to Authorize the Establishment of Social Districts per NH RSA 178:34 on the March 10, 2026 Municipal Ballot, and Set Public Hearing for February 18, 2026
- B. Discussion of Placing a Question of Whether to Prohibit the Operation of Keno Games in Lebanon per NH RSA 284:51 on the March 10, 2026 Municipal Ballot, and Set Public Hearing for February 18, 2026

New Business:

- A. Request from Salt Hill Pub for an Exemption of City Code Chapter 14, Alcoholic Beverages, to Permit the Serving of Alcoholic Beverages on City Property
- B. Request from Three Tomatoes for an Exemption of City Code Chapter 14, Alcoholic Beverages, to Permit the Serving of Alcoholic Beverages on City Property
- C. Request from Lebanon Village Pizza for an Exemption of City Code Chapter 14, Alcoholic Beverages, to Permit the Serving of Alcoholic Beverages on City Property
- D. Request from Black Magic Mexican for an Exemption of City Code Chapter 14, Alcoholic Beverages, to Permit the Serving of Alcoholic Beverages on City Property
- E. Release of Collected Public School Impact Fees (4th Quarter 2025)
- F. Preparation of Concise Explanation Stating the City Council's Position on the Zoning Amendment to Appear on the March 2026 Municipal Ballot
- G. Discussion and Set Public Hearing for February 4, 2026: Ordinance #2026-XX to Amend City Code Chapter 68, Fees, Article III, Miscellaneous Fees, to Revise Zoning Fees, City Clerk Fees, and Ambulance Fees

February 4, 2026

Public Hearings:

- A. Proposed Amendments to the Zoning Ordinance for Council Adoption

Old Business:

- A. Discussion and Set Public Hearing for February 18, 2026: Ordinance #2025-13, Amendments to City Code Chapter 179

**Agenda
Lebanon City Council
January 7, 2026**

7. Acceptance Of Minutes:

Minutes To Be Accepted

- December 3, 2025 (Regular Meeting)
- December 17, 2025 (Regular Meeting)
- December 18, 2025 (Special Meeting)

MOVED, to approve the minutes as presented in the January 7, 2026 agenda packet.

DRAFT

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, December 3, 2025, 7:00 p.m.
Lebanon, NH**

High School Gymnasium

Remote Via Microsoft Teams: LebanonNH.gov/Live

MEMBERS PRESENT: Mayor Douglas Whittlesey, Assistant Mayor Devin Wilkie, Erling Heistad, Nicole Ford Burley, Timothy McNamara, Laurel Stavis, Christian Simon, George Sykes, and Karen Zook (arrived 7:14PM)

MEMBERS ABSENT:

STAFF PRESENT: City Manager Andrew Hosmer, Deputy City Manager David Brooks, Technical Advisor Paula Maville, Director of Public Engagement and Communications Beth Beraldi, Lead Network Infrastructure Engineer John Henault, Recreation, Arts & Parks Program Coordinator Meagan Henry, Human Resources Director Samantha Lauzon, Chief Innovation & AI Officer Melanie McDonough, Planning Administrative Assistant Crystal Taplin, Finance Director Alesia Williams

1. CALL TO ORDER: Mayor Whittlesey called the meeting to order at 7:00 p.m.

- City Manager Andrew Hosmer announced the meeting criteria for attendees.

2. PLEDGE OF ALLEGIANCE: Mayor Whittlesey led the Council in the Pledge.

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

- He announced that after the Open Council Discussion the public will be allowed 15 minutes of public comments specifically related to New Business Item G: Public Input on the proposed 2026 budget for people who cannot wait around until the end of the night.

4. OPEN COUNCIL DISCUSSION: NONE

5. OPEN TO PUBLIC: No One Came Forth

6. RECOGNITIONS: NONE

7. ACCEPTANCE OF MINUTES:

- November 12, 2025 (Work Session)
- November 13, 2025 (Work Session)
- November 18, 2025 (Work Session)
- November 19, 2025 (Regular Meeting)

*Councilor Heistad MOVED to approve the November 12, 2025 (Work Session); the November 13, 2025 (Work Session); the November 18, 2025 (Work Session); and the November 19, 2025 (Regular Meeting) minutes as written and presented in the December 3, 2025 City Council agenda packet.
Seconded by Councilor Stavis.*

1 **The Vote on the Motion was approved (8-0). Councilor Zook was not present at the time this vote was*
2 *taken.*

3
4 **8. APPOINTMENTS:**

5 • Arts and Culture Commission, Jennifer Chambers (Arts Organization Representative)
6 *Councilor N. Ford Burley MOVED to NOMINATE Jennifer Chambers as an Arts Organization*
7 *Representative to the Arts and Culture Commission. Term: 12/2025 – 12/2026*

8
9 *The Vote on the nomination was approved (8-0). Councilor Zook was not present at the time this vote*
10 *was taken.*

11
12 • Lebanon Energy Advisory Committee, Henry Bromberg (Reappointment as Citizen
13 Representative)
14 *Mayor Whittlesey MOVED to NOMINATE Henry Bromberg for Reappointment as Citizen*
15 *Representative to the Lebanon Energy Advisory Committee. Term: 12/2025 – 12/2027*

16
17 *The Vote on the nomination was approved (8-0). Councilor Zook was not present at the time this vote*
18 *was taken.*

19
20 **9. PUBLIC HEARING ITEMS:**

21 A. Acceptance of a Donation of Rutter Property, a +/-23-Acre Parcel of Conservation Land on
22 Stevens Road, Lebanon, from the Upper Valley Land Trust (UVLT)

23
24 Included in the agenda packet: [\(All supportive documents and detailed information can be found on pages](#)
25 [59- 69, Council agenda packet\)](#)

- 26 1. Lebanon Conservation Commission, Special Meeting Minutes, May 8, 2025
27 2. Lebanon Conservation Commission, Meeting Minutes Excerpt, October 9, 2025
28 3. UVLT Presentation – Rutter – Signal Hill Property, Stevens Road

29
30 Mr. Craig Privett, UVLT, Conservation Project Manager, reviewed the background and talked about his
31 PowerPoint presentation (included in agenda packet) regarding the Rutter-Signal Hill's 22.8 +/- Acres as
32 a donated free gift from Sally and Jerry Rutter. His talk included the properties conservation easement;
33 water resources; important wildlife habitat; significant ecological and scenic areas; and the benefits to the
34 public. He also spoke about and showed the area that was identified as a Lebanon Wildlife Corridor from
35 a 2016 report, noting the significant land protection opportunity.

36
37 **BACKGROUND**

38 Sally and Jerry Rutter are proposing to donate a +/-23-acre parcel of land (Tax Map 28, Lot 14) to the Upper
39 Valley Land Trust (UVLT) for conservation purposes. UVLT would, in turn, like to donate ownership of
40 the Rutter parcel to the City, while retaining a conservation easement over the property.

41
42 The Rutter parcel is located adjacent to the intersection of Stevens Road and Alden Road and is situated
43 near the parking lot and trailhead for the Signal Hill Conservation Area. UVLT envisions that a conservation
44 easement on the Rutter property will be similar to the easement for Signal Hill, and that the parcel will be
45 managed similarly to Signal Hill.

46 On May 8, 2025, the Lebanon Conservation Commission held a public hearing to receive public input on a
47 proposal to expend up to \$21,000 from the Lebanon Open Space Trust (L.O.S.T.) Fund as a contribution to
48 UVLT to facilitate the acquisition and permanent protection of the Rutter property. At the conclusion of

1 the public hearing, the Commission voted unanimously to authorize the expenditure subject to the execution
2 of a grant agreement between the City and UVLT.

3 On October 9, 2025, the Conservation Commission voted to recommend that the Lebanon City Council
4 accept the proposed donation of ownership of the Rutter parcel from UVLT, subject to the conservation
5 easement to be held by UVLT. Excerpts of minutes from both Conservation Commission meetings are
6 attached for review.

7 The legal authority to acquire or dispose of real property interests ultimately rests with the City Council.
8

9 **Mayor Whittlesey opened the Public Hearing.**

- 10 • **Ms. Sarah Riley, Chair of Conservation Commission**, came forward and spoke about the
11 reasons why she, and the Conservation Commission, recommends that the Council should
12 accept this gift of a +/-23-Acre Parcel of Conservation Land on Stevens Road, Lebanon, NH.
13 She specifically noted that the Conservation Commission has supported this project
14 financially to cover the costs associated with the transfers of ownership, as well as the costs
15 associated with establishing and stewarding the Conservation Easement.
- 16 • **Ms. Joan Townsend (Ward-2)**: She questioned whether or not the Upper Valley Land Trust
17 would be paying the taxes on the property. Mayor Whittlesey stated this question would be
18 addressed later in the meeting. Ms. Townsend also expressed her opinion on the many other
19 conservation lands in Lebanon and the housing crisis discussions taking place.
- 20 • **Ms. Cindy Lahaye (Ward-2)**: In response to her question regarding whether or not this land
21 would be open to the public and if hunting would be allowed, Mayor Whittlesey stated this
22 would be addressed later in the meeting.
23

24 **Hearing no further comments from the public, the Public Hearing was closed.**
25

26 **Councilor Zook arrived at approximately 7:14 PM.**
27

28 **Council/Staff Comments:**

29 Mayor Whittlesey addressed the following questions as follows:

- 30 1. Whether or not taxes are paid on this property if it goes to the City. Answer: No, there will not be
31 taxes, but the land in and of itself is in current use, so the actual taxes paid on undeveloped land
32 in current use is minimal. Deputy City Manager Brooks noted this land is currently valued, in its
33 current use, at +/- \$1,500. Mr. Privett, UVLT, added that the Upper Valley Land Trust does pay
34 property taxes on land it owns.
- 35 2. Whether or not the land would be open to public use. Mr. Privett noted that this is often left up to
36 the discretion of landowners, which in this case would be the City and further explained his
37 reasoning on how this could be done.
- 38 3. Whether or not hunting would be allowed. Mr. Privett noted that this is often left up to the
39 landowner's discretion.
40

41 Councilor McNamara noted that his understanding is this land is currently in current use and will remain
42 in current use regardless of whether the City takes the land or if the UVLT takes the land. Mr. Privett was
43 uncertain as to the nature of the tax implications if the City took ownership but if UVLT maintained and
44 held onto ownership it would stay as it is currently. Council McNamara noted that there are really no tax
45 implications because it is in current use for City land so it should be around \$30 +/- . It sounds like there is

1 no financial implications whether the City takes it or whether UVLT has it. Jerry and Sally Rutter would
2 like to offer this property as a gift to the City with UVLT managing the conservation easement. If the City
3 does take ownership, we will have more latitude on what we can allow on the land. He also addressed the
4 housing situation for this property noting that there is no water/sewer and has limited opportunities for
5 housing on this land.

6
7 Councilor Stavis questioned if the City would be liable for accidents, once the City takes ownership.
8 Mayor Whittlesey noted this is a legal question that we do not have an answer to. City Manager Hosmer
9 also noted this is a question that needs follow-up.

10
11 Councilor Heistad spoke about the land on Signal Hill and noted the land in question is very wet along the
12 stream and there would difficulties in developing housing without disturbing the entire watershed.

13
14 **ACTION:**

15 *Councilor N. Ford Burley MOVED, that the Lebanon City Council hereby agrees to accept a donation*
16 *from the Upper Valley Land Trust of a +/-23-acre parcel of conservation land (Tax Map 28, Lot 14)*
17 *along Stevens Road, Lebanon, subject to a conservation easement to be held by the Land Trust, as*
18 *presented in the December 3, 2025 City Council Agenda Packet.*
19 *Seconded by Assistant Mayor Wilkie.*

20
21 Assistant Mayor Wilkie understood there are some questions and that the tax implications are minimal for
22 having an additional asset. Whether it is in the hands of the Land Trust or the City, it is conservation
23 property and felt it should not be considered as having the potential for development and further
24 explained his reasoning. He also understood that there may be some concerns over liability, but it fits in
25 with a much larger tract of (conservation) land, and it makes sense to accept this, given that this was the
26 intention.

27
28 **The Vote on the Motion was approved (9-0).*

29
30 **10. OLD BUSINESS**

31 **A. Presentation of Second Reading: Amendments to Ordinance #18, Salary Plan, to include**
32 **implementation of a 3.0% General Wage Increase, and to retitle, reclassify, and add positions**
33 **to the existing salary plan.**

34
35 Included in the agenda packet: (All supportive documents and detailed information can be found on pages
36 70-80, Council agenda packet). NOTE: all amendments are highlighted in RED in the agenda packet.

37
38 Human Resources Director Samantha Lauzon reviewed the background and gave a broad overview of the
39 items that have been amended in Ordinance #18, Salary Plan, since there was a comprehensive
40 background given at the first reading.

41
42 **BACKGROUND**

43 Ordinance No. 18 formally establishes the City of Lebanon's comprehensive Salary Plan,
44 governing non-affiliated employees, bargaining unit personnel, and designated classifications of
45 municipal staff. It defines the organizational framework for employee compensation by
46 establishing salary grades, pay ranges, and the classification of all official job titles within the City's
47 workforce structure. The Salary Plan currently encompasses four collective bargaining units, each
48 governed by Collective Bargaining Agreements effective from January 1, 2025, through December

31, 2027, including the following:

- Lebanon Professional, Administrative, and Salaried Employees (LPASE)
- Lebanon Public Works Employee's Union, American Federation of State, County and Municipal Employees, Local #1348/Council 93 AFL-CIO (AFSCME)
- Lebanon Permanent Firefighters' Association, Local 3197/International Association of Fire Fighters (LPFFA/IAFF)
- Lebanon Police Benevolent Association (LPBA)/New England Police Benevolent Association (NEPBA)

In addition, three (3) new bargaining units have been certified by the State of New Hampshire Public Employee Labor Relations Board (PELRB) and are currently engaging in negotiations for their initial Collective Bargaining Agreements. These are:

- City of Lebanon (Department Heads)
State of New Hampshire – Public Employee Labor Relations
Board Case No. G-0346-1, Decision No. 2025-155
- City of Lebanon (City Assistants, Deputies, and Others)
State of New Hampshire – Public Employee Labor Relations
Board Case No. G-0343-2, Decision No. 2025-251
- City of Lebanon (Various City Employees)
State of New Hampshire – Public Employee Labor Relations
Board Case No. G-0345-1, Decision No. 2025-157

Under the City Council/City Manager form of government, the City Manager is responsible for administering the affairs of the City, including maintenance of the City's Salary Plan and negotiation of Labor Agreements with all collective bargaining units.

Under Ordinance No. 18, compensation for exempt (salaried) and non-exempt (hourly) employees is defined by a system of steps or by minimum and maximum grade ranges—expressed as hourly rates for non-exempt employees and weekly rates for exempt employees.

Progression within these ranges is achieved through annual General Wage Increases and performance-based merit adjustments ranging from one (1) to three (3) percent, or through automatic step increases. The granting of merit or step adjustments is subject to the terms and conditions outlined in the Non-Bargaining Employee Handbook (for non-affiliated employees), or the applicable Collective Bargaining Agreement. Step or merit-based adjustments only occur provided the employee has not reached their top step or the maximum of their salary range.

To ensure the Salary Plan remains equitable and competitive with the external labor market, the City's Salary Plan must be kept current. This is achieved by regularly adjusting compensation ranges through General Wage Increases and by systematically reviewing positions with both external labor market comparisons and internal equity among positions.

The City's standard practice for determining General Wage Increases is to apply the percentage change in the Northeast Region Consumer Price Index (CPI) for June, measured over the preceding twelve months. This adjustment typically includes a minimum increase of one percent (1%) and a maximum increase of three percent (3%) and applies equally to non-affiliated employees and members of the City's collective bargaining units.

1 **Council/Staff Comments:**

2 Councilor Sykes requested that the employee turnaround rate information be given to the Council before
3 the third reading of Ordinance #18, which will take place on December 17, 2025, so it can be compared
4 with other communities in order to give us incite on how we are doing. Director Lauzon noted our
5 turnover rate right now is +/-10% (for 2025). She has been in contact with other municipalities on what
6 their turnover rates are but has not heard back from them yet. She will try to have this information
7 available at the next meeting.

8
9 **ACTION:**

10 **The City Council was asked to take action to amend Ordinance No. 18, as follows:**

11
12 **1. ACKNOWLEDGE SECOND PRESENTATION:**

13 *Assistant Mayor Wilkie MOVED, that the Lebanon City Council hereby acknowledges the second of*
14 *three presentations to amend Ordinance #18, Salary Plan, as fully described and contained in the*
15 *December 3, 2025, City Council Agenda Packet.*
16 *Seconded by Councilor Heistad.*

17
18 **The Vote on the Motion was approved (9-0).*

19
20 **11. NEW BUSINESS**

- 21 **A.** Request from Lebanon Opera House for an Exemption (per §14-5) of City Code Chapter 14,
22 Alcoholic Beverages, to permit the serving of alcoholic beverages on City property in 2026

23
24 Included in the agenda packet: [\(All supportive documents and detailed information can be found on pages](#)
25 [81-85, Council agenda packet\)](#)

- 26 1. November 17, 2025 email and map from Operations Manager Brian Cook, Lebanon Opera House

27
28 Deputy City Manager Brooks reviewed the history and background behind this request from the Lebanon
29 Opera House.

30
31 **BACKGROUND**

32 Lebanon Opera House (LOH) was requesting the City Council grant an alcohol exemption to
33 provide them with the ability to serve alcoholic beverages on certain City property and within City Hall
34 during LOH events and performances. City property outside of City Hall to be included in this request
35 are the alley between City Hall and the neighboring building located at 55 North Park Street (Dutille's
36 Jewelry building), the back parking lot behind City Hall, the sidewalk in front of City Hall, and all other
37 areas immediately surrounding the building. The request is from January 1, 2026, through December
38 31, 2026.

39
40 Please see email from Lebanon Opera House Operations Manager, Brian Cook included in the agenda
41 packet.

42
43 City Administration has no objection to any of the above.

44
45 City Code Chapter 14, Alcoholic Beverages, §14-5, Exemption states that, "Any person, publicly
46 recognized organization, organized group, family group or business may be exempted from the
47 provisions of this article for a short period of time not exceeding 12 hours, upon first obtaining
48 permission from the City Manager after consultation with and approval by the Chief of Police.
49 For a period of time exceeding 12 hours but not exceeding one year, permission must first be obtained

1 from the Lebanon City Council and reviewed on an annual basis.” Due to the nature of the business and
2 the desire to continue to serve alcohol on City-owned property, Council approval is required pursuant to
3 §14-5 above.

4
5 **Council/Staff Comments:**

6 In response to Councilor Stavis’ question regarding how this request would interact with the proposed
7 Social District, Deputy City Manager Brooks was uncertain if they would directly conflict or have an
8 impact. This would depend on where a Social District is created, but the Social District regulates both the
9 location, the containers that are used (in that District), and where people can get an alcoholic beverage to
10 take it outside and walk around. If City Hall is part of a Social District, and it includes the pedestrian
11 mall, for example, then perhaps someone can take their beverage over to the Social District.

12
13 City Manager Hosmer also noted that Social Districts are intended to be outside. This request is for within
14 City Hall.

15
16 **ACTION:**

17 *Councilor McNamara MOVED, that the Lebanon City Council hereby grants an exemption pursuant*
18 *to §14-5 of City Code Chapter 14, Alcoholic Beverages, to Lebanon Opera House to serve alcoholic*
19 *beverages during LOH events and performances in areas as described in the December 3, 2025 City*
20 *Council Agenda Packet. Exemption shall be valid beginning January 1, 2026 and shall expire on*
21 *December 31, 2026.*

22 *Seconded by N. Ford Burley.*

23
24 **The Vote on the Motion was approved (9-0).*

- 25
26 **B.** Request from Lebanon Outing Club for an Exemption (per §14-5) of City Code Chapter
27 14, Alcoholic Beverages, to permit the serving of alcoholic beverages on City property in
28 2026

29
30 Included in the agenda packet: [\(All supportive documents and detailed information can be found on pages](#)
31 [86-88, Council agenda packet\)](#)

- 32 1. November 13, 2025 email from Lebanon Outing Club President, Cory Grant
33 2. Map of requested areas
34

35 Deputy City Manager reviewed the background, noting this is similar to last year.

36
37 **BACKGROUND**

38 The Lebanon Outing Club (LOC) was requesting an exemption from City Code Chapter 14, Alcoholic
39 Beverages, to allow them to serve alcohol on city-owned property at Storrs Hill Ski Lodge and immediate
40 surrounding areas. Please see the email from Lebanon Outing Club President Cory Grant as presented in
41 the agenda packet.

42
43 City Administration has no objection to the request.

44 City Code Chapter 14, Alcoholic Beverages, §14-5, Exemption, states that, “Any person, publicly
45 recognized organization, organized group, family group or business may be exempted from the provisions
46 of this article for a short period of time not exceeding 12 hours, upon first obtaining permission from the
47 City Manager after consultation with and approval by the Chief of Police. For a period of time exceeding

1 12 hours but not exceeding one year, permission must first be obtained from the Lebanon City Council
2 and reviewed on an annual basis.” Whereas the current request is for the alcohol exemption/permit to cover
3 a one-year period, Council approval is required pursuant to §14-5 above.

4
5 **Council/Staff Comments: NONE**

6
7 **ACTION:**

8 ***Councilor Stavis MOVED, that the Lebanon City Council hereby grants an exemption pursuant to***
9 ***§14-5 of City Code Chapter 14, Alcoholic Beverages, to Lebanon Outing Club to serve alcoholic***
10 ***beverages on City-owned property at Storrs Hill Ski Lodge and immediate surrounding areas as***
11 ***described in the December 3, 2025 City Council Agenda Packet. Exemption shall be valid beginning***
12 ***January 1, 2026 and shall expire on December 31, 2026.***

13 ***Seconded by Councilor Simon.***

14
15 ****The Vote on the Motion was approved (9-0.***

16
17 **C. Presentation of 2024 Financial Audit Report**

18
19 Included in the agenda packet: [\(The complete 113-page Audit Report\(s\), along with other detailed](#)
20 [information, can be found on pages 89-201, Council agenda packet\)](#)

- 21 1. November 19, 2025 Letter to City Council from Plodzik & Sanderson, P.A.
22 2. City of Lebanon Annual Financial Report – Fiscal Year Ending December 31, 2024
23 3. Lebanon Municipal Airport, Passenger Facility Charges Report – Fiscal Year
24 Ending December 31, 2024

25
26 Mr. Kyle Gingras of Plodzik & Sanderson was present and reviewed/discussed the 2024 Financial Audit
27 and answered questions from the Council. He started with his letter, dated November 19, 2025 (located
28 on page 90, Council agenda packet) which outlined their responsibility for the Financial Statements,
29 performance of the audit, significant risks that they identified, and then adjust through the audit. We did
30 have one comment on the City for an opportunity for improvement related to Capital Projects. They
31 wanted to make sure that spreadsheets are reconciled periodically, which helps them significantly when
32 going through the audit since Capital Projects are reported in multiple funds. He also spoke about the
33 new standards in the GASB, which are accounting standards that will change in upcoming accounting
34 factors. They also added a comment on Cyber Security Policies & Procedures, although they did not
35 identify any specific risks or issues with the City itself, noting they include this comment for all of our
36 audit clients because we have seen an uptick in cyber security issues among a number of governments
37 entities. We wanted everyone to be aware that this is an ongoing issue, be vigilant, and stay up to date on
38 risk assessment policies, training for employees, etc.

39
40 Mr. Gingras walked the Council through the Annual Financial Report on pages 94-113; the Basic
41 Financial Statements and Exhibits, pages 114-127, the Notes to the Basic Financial Statements, pages
42 128-164; the Required Supplementary Information and Exhibits and Notes, pages 154-172; Combining
43 and Individual Fund Schedules, pages 173-180; and The Report On Compliance For Each Major Federal
44 Program and Internal Control Over Compliance Required by The Uniform Guidance, pages 181-193, the
45 Corrective Action Plan (as of December 31, 2024), pages 193-194; and the Lebanon Municipal Airport
46 Passenger Facility Charges Report as of Fiscal Year Ending on December 31, 2024, pages 195-201.
47 (Please note the Summary of Auditor’s Results can be found on pages 186-191, Council agenda packet.)

48
49 **Council/Staff Comments:**

1 Mr. Gringas confirmed with Mayor Whittlesey that the recommendations (listed below and listed on page
2 188, Council agenda packet) should be completed and explained how this could be done.

3
4 **Recommendation:** We recommend that the City establish and consistently apply a formalized
5 process to verify and document the suspension and debarment status of all vendors, consultants,
6 and contractors paid with federal funds. The process should include:

- 7 • Performing verification through SAM.gov prior to contract execution;
- 8 • Obtaining a signed certification from the vendor; or
- 9 • Including an appropriate clause within the contract addressing suspension and debarment
10 status.

11
12 Additionally, the City should maintain documentation of verification in procurement files to
13 demonstrate compliance during audits and monitoring visits. The City should also ensure that
14 reliance on NHDOT approvals does not replace its own verification responsibilities under federal
15 requirements.

16
17 **Views of Responsible Officials:** Management's views and corrective action plan is included at
18 the end of this report.

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

20
21 **D.** Discussion & Set Public Hearing for January 7, 2026: Ordinance #2025-14, Amendments
22 to City Code Chapter 8, Airport Operations, to Amend Fuel Flowage Fees

23
24 Included in the agenda packet: [\(All supportive documents and detailed information can be found on pages](#)
25 [202-208, Council agenda packet\)](#)

- 26 1. Proposed Ordinance #2025-14
- 27 2. City Code Chapter 8 - Airport Operations
- 28 3. Exhibit #1 - Fee Schedule, from Lebanon Airport Rules and *Regulations*

29 ***Not Included, But Also Available:***

- 30 1. City of Lebanon. New Hampshire. Lebanon Municipal Airport, Rules and Regulations for the
31 Operation of the Airport, Adopted September 1, 1993, Amended December 13, 2023.

32
33 City Manager Hosmer reviewed the background and noted that on January 7, 2026 we will have more
34 details as to what the suggested rate might be for net reviews at the Airport.

35 36 **BACKGROUND**

37 In recent years, the City Council has regularly updated the Aircraft Landing Fees documented within the
38 Airport Rules and Regulations as part of an ongoing effort to try to make the Lebanon Airport a more self-
39 sustaining operation. Most recently, on October 15, 2025, the City Council adopted Ordinance #2025-09 to
40 establish new landing fees to be effective beginning January 1, 2026.

41
42 However, other fees associated with airport use and operations have not been regularly updated. For
43 example, it does not appear that the Fuel Flowage Fees outlined in the Airport Rules and Regulations have
44 been updated since at least 2019, when they were incorporated into the Fee Schedule (Exhibit 1) of the
45 Rules and Regulations. Under the existing fee schedule, the City receives \$0.08 per net gallon of all fuel
46 delivered to the Fixed Base Operator (Granite Air) and from all other self-fueling activities occurring at

1 the airport.

2
3 The City Manager recommends that the City Council consider increasing the Fuel Flowage Fees to
4 account for inflation and other cost increases associated with overall airport operations.
5

6 **ACTION:**

7 *Councilor McNamara MOVED, that the Lebanon City Council hereby schedules a public hearing*
8 *for Wednesday, January 7, 2026, beginning at 7:00 pm in Council Chambers, City Hall, and*
9 *Remote via City's Virtual Platform, for the purpose of receiving public input and taking action on*
10 *proposed Ordinance #2025-14 to amend City Code Chapter 8, Airport Operations, Section 8.4,*
11 *Airport Rules and Regulations, to amend the Airport Fuel Flowage Fees set forth in Exhibit 1, Fee*
12 *Schedule, of the Rules and Regulations.*

13 *Seconded by Councilor Simon.*

14
15 **The Vote on the Motion was approved (9-0).*
16

- 17 **E.** Discussion & Set Public Hearing for December 18, 2025: Consideration of City Clerk's
18 Certification of Sufficiency for Citizens Binding Initiative Seeking to Establish a Finance
19 Advisory Committee
20

21 Included in the agenda packet: [\(All supportive documents and detailed information can be found on pages](#)
22 [209-217, Council agenda packet\)](#)

- 23 1. Final Language of Citizens Binding Initiative Petition question and brief explanation
24 2. November 25, 2025 City Clerk Certification of Petition Sufficiency
25 3. Proposed Ordinance #2025-15
26 4. City Charter Section 7.01 - Citizen Binding Initiative
27 5. City Code Chapter 89- Initiative Petitions
28

29 Deputy City Manager Brooks reviewed the background behind this request to establish a Finance
30 Advisory Committee.
31

32 **BACKGROUND**

33 On October 2, 2025, the City received a Citizens Binding Initiative Petition in accordance with Section 7.01
34 of the City Charter from Petition Committee Chairperson Lori Key. The Citizens Binding Initiative Petition
35 seeks to amend City Code Chapter 31, Boards, Committees and Commissions, to establish a Finance
36 Advisory Committee.

37 On November 25, 2025, in accordance with City Code §89-8.A, City Clerk Jaseya Ewing verified that the
38 requisite number of signatures of registered voters had been obtained on the petition and certified the petition
39 as sufficient to comply with the provisions of City Charter §7.01. Pursuant to City Code §89-10.A, the City
40 Clerk shall cause the initiative petition to be placed on the agenda for a City Council meeting to be held
41 within 14 days of the Clerk's certification. Upon receiving the City Clerk's certification of the petition, the
42 City Council must schedule a public hearing to be held within 20 days from the date of receipt of the
43 certification [§89-10.B].

44 If, following the public hearing, the City Council decides to pass the Citizens Binding Initiative Petition
45 without alteration, such action will have the effect of adopting Ordinance #2025-15, as proposed and
46 included in this agenda packet.

1 If, following the public hearing, the City Council decides not to pass the Citizens Binding Initiative Petition,
2 or decides to pass the initiative petition but with substantive alterations, or takes no action whatsoever, then
3 the City Council shall cause the original certified Binding Initiative petition question and the brief
4 explanation or synopsis to be placed on the ballot at the next municipal election on March 10, 2026 [§89-
5 11].

6 **ACTION:**

7 *Councilor McNamara MOVED, that the Lebanon City Council hereby schedules a public hearing for*
8 *Thursday, December 18, 2025, beginning at 6:00 pm in Council Chambers, City Hall, and Remote via*
9 *City's Virtual Platform, for the purpose of receiving public input and taking action to decide whether to*
10 *pass, with or without alteration, the Citizens Binding Initiative Petition seeking to amend City Code*
11 *Chapter 31, Boards, Committees and Commissions, to establish a Finance Advisory Committee, as*
12 *reflected in proposed Ordinance #2025-15, as presented in the December 3, 2025 City Council Agenda*
13 *Packet.*

14 *Seconded by Councilor N. Ford Burley*

15
16 **The Vote on the Motion was approved (9-0).*
17

18 Mayor Whittlesey wanted to be clear that on Wednesday December 17, 2025, at the Lebanon High
19 School there will be a full Budget Hearing. On Thursday, December 18th, 2025, there will be a Special
20 Council Meeting on the Binding Initiative in Council Chambers starting at 6PM.

21
22 **F. Discussion of Placing a Question of Whether to Prohibit the Operation of Keno Games on**
23 **the March 10, 2026 Municipal Ballot**
24

25 Included in the agenda packet: [\(All supportive documents and detailed information can be found on pages](#)
26 [218-224, Council agenda packet\)](#)

27 1. NH RSA 284:41 – 284:51-a, *et. seq.*

28 Deputy City Manager Brooks reviewed the background on this item as listed above.
29

30 **BACKGROUND**

31 On July 1, 2017, state legislation went into effect authorizing municipalities to allow (opt in) the operation
32 of keno games in their community by placing the question on the town warrant or municipal ballot. Under
33 the 2017 legislation, keno was only permitted to be operated in communities that had explicitly voted to
34 allow it.

35
36 Subsequent to the enactment of the 2017 legislation, the City Council held multiple discussions to decide
37 whether or not to place the question of allowing the operation of keno games in the City, including on January
38 3, 2018, February 6, 2019, and January 8, 2020. Following each such discussion, the City Council voted
39 not to place the question onto the municipal ballot for voter consideration. In other words, not to opt in.
40

41 In 2025, new state legislation (Laws of 2025, Chapter 288 – House Bill 737) took effect, which amended
42 or repealed and reenacted portions of RSA 284:41 - 284:51-a, *et. seq.*, which address Keno games. Under
43 the 2025 legislation, keno games will be permitted in every municipality as of July 1, 2027, unless a
44 municipality votes to explicitly prohibit (opt out) such games. Keno will now be allowed in every
45 community except those that explicitly “opt out.”

46 If the City wishes to prohibit (“opt out”) of the operation of keno games, the City Council must vote to
47 place the question on the official ballot for any regular municipal election, or, in the alternative, shall place
48 the question on the official ballot for any regular municipal election upon submission to the legislative

body of a petition signed by 5 percent of the registered voters. If placed on the official ballot, the City Council shall hold a public hearing on the question at least 15 days, but not more than 30 days, before the question is to be voted on.

This is setting the stage for discussion, which is similar to the Social Districts we talked about at the last meeting. Both of these questions we expect to bring back to the Council for further discussion and the formal question of whether to put the question on the ballot. Each of these options has a requirement for a statutory public hearing: it has to be within 15 days but not more than 30 days before the vote. The public hearing would need to be on the second (2nd) meeting in February. Both of these questions will be brought back to the Council at the January 21, 2026 meeting.

No action is needed for tonight's meeting.

Council/Staff Comments:

Councilor McNamara spoke about the history of Keno in Lebanon, noting that since that time things have changed dramatically, and we now have a major casino. Since the atmosphere has changed, he felt a vigorous discussion should take place because there are some entities, like the Elks and the Legion Clubs, that could potentially benefit from this.

Assistant Mayor Wilkie was in favor of continuing this discussion and placing this on the ballot allowing the public to weigh in.

Councilor Stavis was in favor of continuing this discussion. She noted she would gather more information for the Council on all the pending bills in the NH Legislature that affect Keno and what is called historic horse racing. There are many bills pending regarding historic horse racing, and it is a very changing environment at the State level.

Councilor Sykes expressed his concerns about the cost/benefits to the City and requested that City staff provide this information.

Mayor Whittlesey spoke about his reasons why he felt this should be sent to the voters to choose what they would like to do.

Councilors McNamara and Stavis both felt that the question, itself, should be educational and presented in a way that is clear, so the public understands the pros/cons associated with it, such as the "opt-in" and "opt-out" issue, which is confusing noting that this is sometimes the purpose of these pieces of legislation that change often to "opt-out" from "opt-in" and is intended to muddy the waters.

Councilor Heistad felt this should go before the voters.

ACTION: No Action taken at tonight's meeting. Will be coming back to the Council for further review in the near future.

G. Public Input on Proposed 2026 Municipal Budget

Included in the agenda packet: [\(All supportive documents and detailed information can be found on page 225, Council agenda packet\)](#)

Information available but not included herein:
2026 Proposed City of Lebanon Budget

Mayor Whittlesey noted there were budget workshops throughout November. Tonight, we are just soliciting input from the public and will not be taking any action or making changes at this meeting. He announced this item's criteria for public input, noting that if there are questions, he and Assistant Mayor Wilkie will write them down and make sure they are addressed tonight. The full Public Hearing on the budget will be on December 17, 2025.

BACKGROUND

The public was invited to provide input to the City Council and members of the City staff on the proposed 2026 Municipal Budget.

Mayor Whittlesey opened up discussions from the public, and the following came forth to give their comments:

- **Jay Simms, Ward 2:** He spoke about high assessments and property tax increases. The people he has been talking to were looking for 0% increases. He went through his data for the 2024 audit. He also noted that any personnel issues need to be scrutinized carefully, especially with the new Collective Bargaining Units and the costs associated with these. He gave examples of potential cost increases.
- **Linda Barton, Ward 1:** She supported Mr. Simms' comments, noting she is a senior citizen and commenting on the increases that have occurred, not just in Lebanon, but globally and within the United States. Seniors are on limited incomes and was concerned that so many people felt they have to leave the community of West Lebanon. She urged the Council to hold the tax increase to 0%.
- **Eric Streit, Ward 2:** He spoke about how residents showed up in mass last year when there were heavy proposed tax increases. The public gave resounding feedback that residents cannot afford tax increases and proposed that tax rates be lowered. While the City did bring tax rates down some, he felt betrayed now and spoke about his concerns over the reappraisal of homes. He pleaded with Department Heads to be creative and lower their budgets and gave examples.
- **Nancy Sansevere, Ward 3:** She looked at her notes from last year and questioned where the City's accountability and sustainability of this budget was. She also spoke about her reasons why she felt the accountability of this Council has been lost and wanted to understand where the accountability is with this Council, noting the conversation is the same year after year.
- **Joan Townsend, Ward 2:** She spoke about how Lebanon's residents have been working together to help each other, noting this is a very humbling experience. She knows the City can find more revenue and can find some loopholes to help people stay in Lebanon, but they need to be able to afford to stay and gave her reasonings. She also spoke about how Lebanon needs more affordable housing, but she has seen nothing come across except huge apartments, which is not what we need. We need single family homes. She encouraged the Council to try and represent the residents of Lebanon.
- **Mary Davis, Ward 2:** She spoke about her age (76) and noted that last year her tax bill was \$10K and this year it is \$12K. She is now back to work 4 days/week just to stay in her home and asked the Council for their help because she was uncertain where she would be in the future.
- **Ralph Akins, Ward 2:** He noted that one of the basic responsibilities of the Council is fiscal responsibility. When the Council is doing a budget, they need to avoid any kind of a spike in the budget, which has always happened with this City Council. When there is a difficult economy where people cannot afford to live in the City, you (Council) should be looking for ways to cut your spending and fulfill your needs without overspending and talked about his reasonings.

- 1 • **Paul Roberts, Ward 2:** He spoke about how a Budget Summary Sheet would be helpful to the
2 public for the sake of transparency, rather than having to go through 100 pages to get the answers
3 they are looking for. Clarity would help out a lot with the anxiety people are feeling about the
4 City. He requested the cost of the reclassification (of employees) and how much that is costing
5 the taxpayer. The first question the Council should ask is: What is this costing the taxpayer?
- 6 • **Patrick Perry, Ward 1:** He is a recent resident in Lebanon and noted that in < 24 months his tax
7 burden in the City of Lebanon has increased by over 28%. He spoke about the disparities
8 between Commercial properties (assessments rose by 17%) vs. Residential properties
9 (assessments rose to 40%) and an increase of more than 90% for manufacturers homes in the
10 area. He noted that Lebanon has some of the largest corporations in the world
11 (Walmart/Target/Home Depot/ Novo Nordisk). In an economy where corporate profits are
12 excelling, why should the Lebanon taxpayer subsidize their infrastructure? He was eager to hear
13 this Council's plan to keep our tax increase for 2026 at 0%.
- 14 • **Matt Smith, Ward 2:** He spoke about the history of the Dana House and urged the Council to
15 restore the minimal funding required to keep the power on and the dehumidifiers running so that
16 the Dana House does not deteriorate further while the City and School District explore their
17 options.
- 18 • **Cindy Lahaye, Ward 2:** She was extremely disappointed when she got her tax bill, noting that
19 her husband's family has lived in Lebanon for over 6 generations. You (the Council) have been
20 pricing everybody out of this City and spoke about her reasons why she felt this needs to stop
21 (i.e., pay raises for employees; the number/levels of upper management employees, etc.).
- 22 • **Princess Goldie, Ward 2:** She spoke about how her family has lived in Lebanon for
23 generations. She is 40 years old, college educated, has four sources of W-2 income and lives in a
24 multigenerational home just so that everyone can be comfortable and pay the tax bill. She
25 reminded the public that there are five (5) Council seats that will be on the ballot in March,
26 noting the City Council should be working for the population.
- 27 • **Dexter Adalla, Ward 1:** He spoke about his career in healthcare and noticed there is a shortage
28 in housing and spoke about his concerns about how expensive housing and apartments are.
- 29 • **Eileen Fitzpatrick, Ward 2 (remote):** She questioned the timing of tax bills and would like to
30 see them come out quarterly rather than 2x's each year, noting these are very hard times for
31 people on fixed incomes.

32
33 **Hearing no further comments from the public, the public session was closed**

34
35 **Council/Staff Comments:**

36 Mayor Whittlesey welcomed the public's comments and noted that when comments are made through
37 Boards/Committees comment page, it does get sent to the entire City Council. We do get them and read
38 them. He also noted there are a couple points that he wanted to address:

- 39 1. Transparency: We are always looking for ways to simplify this and tried something a little
40 different this year. In some ways it feels like it is working and in other ways it is not quite
41 providing what people are looking for. Certainly, if there is a specific summary of tables that
42 you are looking for, please let us know and we will provide the information you are looking
43 for.
- 44 2. Reappraisal: He knows this is a painful point for everyone. None of his comments made here
45 are meant to take away the hurt that people are feeling, but wanted to explain the process as
46 listed below:
 - 47 • City had the revaluation triggered by State Statute because the sales of houses in the
48 City were exceeding our assessed value well beyond the margin that the State allows.
49 Essentially it was about 76% of what houses were selling for on average. The State

obligates us to do that appraisal. Revaluations are (State mandated) every five (5) years or if you are outside of the appraisal band.

- This is not something the City elects to do; it is something we are required to do.
- Within that appraisal process, there are three (3) revaluation methods: The sales method, income method, and the replacement value method. The State has their opinions on which one we can use for which property types. In his perspective, it has shifted the burden of taxes onto the residential market because of the increased demand of housing in this area.

Mayor Whittlesey spoke for himself noting he does not like this more than anyone else does. He would love to assess at different rates for residential vs. commercial/industrial to equalize across reappraisals, but we (Lebanon) are not allowed to do that. We are not allowed to do any other method, or consider any other methods, and the State, in fact, reviews the methods that are used to ensure those methods agree with the State's requirements. He also noted that the Council will be looking into the reappraisal process to see if we can get some advice from the State or other methodologies for things we can do to mitigate the pain that people are feeling right now. This is the same pain people were feeling back in 2022. Despite an 8% budget increase from last year to this year, people are facing 20% higher residential tax bills. He wanted to be clear that while the budget could have been set at 0% year over year, your taxes would still have gone up because the amount you have to pay is due to the reappraisal process. Once again, to be clear, this reappraisal process is mandated by the State and will trigger tax changes regardless of what the City Council does.

Mayor Whittlesey also noted that up until 2023/2024, the City's average rate of increase was about 3.5% year over year for close to 10 years. It has been a little under 8% the past two (2) years. Whether you agree with this or not, this is part of why we were pushing the City Manager for a lower budget.

3. Housing issues: We always do look at those ratios every year through our pattern of Zoning Amendments to try and allow for greater development. We focus more on infill because that has a lower cost of service for development (i.e., increased demand for service such as roads, etc.).

Assistant Mayor Wilkie noted he agreed with the frustration about how dwellings are not being built, noting there are limited mechanisms by which the Council can control this, especially for many of these apartment complexes that are going up. The Council does not approve them and often does not see them at all unless there is some sort of variance or exception that is needed, or developers are asking for something from the City. In many cases, this is what private developers have determined is the most profitable for them. We have been trying to find ways to shift the policies, incentives, and the opportunities that we have to make it more appealing for developers to build single family homes and further explained his reasoning.

Councilor N. Ford Burley thanked everyone for coming and sharing their experiences. Very often a budget is numbers on a page, and it is always very important to hear lived experiences and the reality on the ground. She gasped when she received her property tax bill this year, and unfortunately a lot of this is coming from other sources that we do not have a lot of power over.

Assistant Mayor Wilkie highlighted a few of the questions that came up as follows:

- 1 • Why taxes are paid twice @ year rather than quarterly: He was sure there would be additional
- 2 costs in sending and collecting property taxes, including more staff time. There might be an
- 3 answer to that at the public hearing.
- 4 • Unassigned Fund Balance: This has been discussed previously but perhaps at the Public Hearing
- 5 on December 17th, 2025, it would be good to get a review of where the City stands right now and
- 6 where we plan to be at the end of the fiscal year 2026 for the proposed budget. Finance Director
- 7 Williams was asked to provide an update of the chart that was shown at the beginning of the
- 8 Budget Workshops that had the annual spend down of the Unassigned Fund Balance and update it
- 9 for the audited final numbers (i.e., here is what it was in 2024 and here is what it will be at the
- 10 end of 2026).
- 11 • Cost of reclassification (employee positions): Human Resources Director Lauzon noted she does
- 12 not have the reclassification position in front of her tonight noting that most of the positions being
- 13 reclassified are in the Enterprise Funds, so they have a limited impact on the tax rate and on the
- 14 General Fund. The Council requested she split out those numbers, so we know what is
- 15 specifically affecting the tax rate.
- 16 • Levels of Management: This information is publicly available on the Organization Charts for
- 17 each Department that can be found online on the City's Website.
- 18 • Accountability to the City's Taxpayers: We have elections every year.
- 19 • Dana House: Request for funds to just keep the structure from deteriorating.
- 20

21 Councilor Stavis added that she was struck by the question: Where's the balance between what the
22 Council does/does not controls vs. the taxpayers and spoke about what is in the City's/State's/Federal
23 Government's control. We need to strike a better balance on what the City can control vs. all things that
24 are outside of our control. In that balance, perhaps we could find a better measure of accountability that
25 would make the residents feel that the Council was working harder on this (budget) than they think we
26 are.

27
28 ***ACTION: No action is required by the Council. This item is for informational purposes only.***

29 **12. City Manager Report: NONE**

30
31 **13. NON-PUBLIC SESSION: NONE**

32
33 **14. ADJOURNMENT:**

34
35 ***Councilor Heistad MOVED for adjournment.***

36 ***Seconded by Councilor Stavis.***

37
38 ****The Vote on the MOTION was unanimously approved (9-0)***

39
40 **The meeting was adjourned at 8:59 PM.**

41
42 Respectfully submitted,

43 Dona E. Gibson

44 Recording Secretary

DRAFT

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, December 17, 2025, 6:00 p.m.
Lebanon High School Gymnasium, 195 Hanover St. Extension, or
Remote Via Microsoft Teams: LebanonNH.gov/Live**

MEMBERS PRESENT: Mayor Douglas Whittlesey, Assistant Mayor Devin Wilkie, Erling Heistad, Nicole Ford Burley, Timothy McNamara, Laurel Stavis, Christian Simon, George Sykes, and Karen Zook

MEMBERS ABSENT:

STAFF PRESENT: City Manager Andrew Hosmer, Deputy City Manager David Brooks, City Clerk/Tax Collector Jaseya Ewing, Deputy City Clerk Jay Bish, Technical Advisor Paula Maville, Director of Public Engagement and Communications Beth Beraldi, Finance Director Alesia Williams, Deputy Finance Director Victoria Paquin, Public Works Director Jay Cairelli, Recreation, Arts & Parks Director Paul Coats, Deputy Director of Planning & Development Tim Corwin, Firefighter / Paramedic Jeremy Thibeault, Assistant Human Services Director Rebecca Desilets, City Engineer Rod Finley, GIS Coordinator Mark Goodwin, Airport Director Carl Gross, Chief Building Inspector/Health Officer Leigh Hayes, Human Resources Director Samantha Lauzon, Assistant Fire Chief Jeff Libbey, Planning & Development Director Nathan Reichert, Chief of Police Phillip Roberts, City Engineer Brian Vincent, Planning Administrative Assistant Crystal Taplin, Deputy Human Resources Director Angela Vivian, Fire Chief/Emergency Management Director Jim Wheatley

1
2 **1. CALL TO ORDER:** Mayor Whittlesey called the meeting to order at 6:00 p.m.

- 3 • City Manager Andrew Hosmer announced the meeting criteria for attendees.
4

5 **2. PLEDGE OF ALLEGIANCE:** Mayor Whittlesey led the Council in the Pledge.
6

7 **3. PUBLIC FORUM:** Mayor Whittlesey made the Public Forum announcement and announced the
8 meeting criteria procedure for the public.
9

10 **4. OPEN COUNCIL DISCUSSION: NONE**
11

12 **5. OPEN TO PUBLIC:**

13 **Mayor Whittlesey opened this session, and the following came forth to give their comments:**

- 14 • **Janice Lahaye (Ward-2):** She had concerns with not getting answers at the same time the
15 questions were asked and was wondering if this was how it would be done in the future. Mayor
16 Whittlesey noted this was done per City Council rules and explained the reason why the time to
17 present any questions is during the Public Hearing for an item.
18 • **Cindi Lahaye (Ward-2):** She restated Ms. Lahaye's question. Mayor Whittlesey noted the
19 Council will take public comments and questions during the Public Hearing for an item and
20 questions will be answered after we have collected the questions and closed the Public Hearing.

- **Heide Nutting (Ward-2):** She spoke about how her coworkers wanted her to come. She, and they were concerned about everything related to the budget and gave examples, noting the Council should do what's best for the people and the community.

PRESENTATION BY CITY MANAGER HOSMER

City Manager Hosmer noted the City Charter IV.04 outlines the duties of the City Manager with regards to his/her role within the City. The City Manager is responsible for preparing/managing the budget and doing what is necessary and prudent to meet the service needs of the City. This is to be balanced with the Council's responsibility to review the proposed budget and balance it against the costs that are associated with lean (departmental) services and the decisions that shape this plan. The City's department heads and City Staff deserve recognition for their competence, diligence, and the integrity they bring to this process every year. They prepare their budgets with a high degree of professionalism and a clear awareness that we all answer to the taxpayers we serve. Their work reflects a commitment, not only to the operational needs of the City of Lebanon, but also to the financial concerns expressed by this Council and our community.

We heard clearly from the Council and the public that the budget's impact on property taxes is a primary concern. Those concerns resonated deeply with all of us involved in shaping this proposal. The directive was to maintain the high quality of municipal services while keeping the tax obligation as manageable as possible for the residents of Lebanon. That message served as a guiding principle and every department approached his/her work with a focus on discipline, efficiency, and thoughtful prioritization. Staff challenged assumptions, scrutinized requests, and sought opportunities to stretch resources without compromising essential services. Earlier in 2025, the Council directed the City Manager and Interim City Manager at the time to have three (3) versions of the City Budget:

- 1) Keep level services as compared to 2025: Doing so would have resulted in an increase anywhere from 7-10%.
- 2) Provide a tax rate impact of 3.5%, and/or
- 3) Provide a budget somewhere between versions 1 & 2.

When we began this process, the target was to develop a budget aligned with the Urban Consumer Price Index, which, at the time, was approximately 3 to 3.5%. The original draft that was presented at the beginning of November reflected an estimated tax rate of 3.8%.

City Manager Hosmer gave a slide presentation that included the following: A Financial Outlook Re-Cap; Budget Changes, a breakdown of where your property tax dollars go; and the City's **proposed 2026 estimated Tax Rate of 2%**, which is down from the original proposed estimated Tax Rate Increase of 3.8%. **The New Proposed Budget = 2.0%**. (Note: His entire summary of the presentation can be viewed on the City's Website under the December 17, 2025 City Council Meetings.)

The 2026 budget is 16.85% lower than the 2025 budget primarily due to a smaller CIP. That is \$90M of projects that are in a "parking lot", waiting. The 2026 General Fund Budget is up by 3.9%. 2.0% is the projected increase in the 2026 tax rate. This allows the City to operate in a cost-efficient manner, reduces the impact significantly on taxpayers, but also allows the level of services we need.

In summary, this budget response is directly related to the Council and public concerns about tax impacts; reserves the high level of services; reflects careful management of both expenditures and revenue

opportunities; achieves a meaningful reduction **from 3.8% to 2%**; and demonstrates a discipline stewardship on behalf of the residents of Lebanon. This is not merely a financial exercise. This is about ensuring that Lebanon continues to function effectively, serves its residents well, and responsibly prepares for the future.

Mayor Whittlesey reiterated that distinguishing between the budget increase of 3.9% (expense side) was because of the adjustments made through the Downtown TIF Districts, so we are only projecting a **2% Tax Rate** increase.

Mayor Whittlesey opened the Public Hearing, and the following came forth to give their comments.

- **Jay Simms (Ward-2):** He read his prepared testimony and spoke about his reason why people cannot afford to live in Lebanon/West Lebanon. He suggested an employee freeze and a tax rate increase of 0%
- **Patty Beek (Ward-2):** She spoke about her many personal and emotional reasons why she felt the property taxes should not be increased.
- **Dan Collins (Ward-2):** He wanted an explanation about why his tax rate went up by 32% this year over last year when the budget is only going up by 2%.
- **Mary Davis (Ward-2):** She questioned the school portion of the budget. We vote on the school budget in March and if we vote on that budget in March, it represents 52% of the budget. She wanted to understand how does that 4% increase work with the City budget?
- **Linda Barton (Ward-1):** She spoke about her reasons why she suggested that the Council consider having a 0% increase for seniors over a certain age; suggested the City adopts the Financial Advisory Committee; having a city-wide sales tax; having a tax on restaurants; and how the City needs to make clear to Lebanon's residents the budgeting premise for setting the Commercial tax rate.
- **Heide Nutting (Ward-2):** She spoke about her personal health issues and noted the need for the new Firehouse for Lebanon's Firefighters. Do what is right for you and the community.
- **Lori Key (Ward-2):** She spoke about her questions on the Unassigned Fund Balance; why questions were not answered at the time they were asked; the school budget; and her reasons why she felt the tax rate should be 0%.
- **Nancy Sansevere (Ward-3):** She spoke about her reasons why she felt the tax rate should be 0% and requested the data showing what this (0%) would look like for the City; having a hiring freeze; having an 18-month cycle for property taxes; and her reasons why she felt the Council should be accountable to the people.
- **Brian Darcel (Ward-2):** He spoke about his reasons why the Council should change their rules and why he felt the tax rate should be 0%.
- **Cindi Lahaye (Ward-2):** She spoke about her reasons why she was against City Unions; the levels of management within the City; and employee benefits (i.e., doing away with some of the overhead in salaries for daycare, sick days, pensions, etc.).
- **Rebecca Kattamis (Ward-2):** She spoke about her concerns over employee benefits; reclassification and upgrading of employee positions; the 6% increase in employee wages; and her reasons why she felt the tax rate should be 0%. She questioned what the realistic number is that allows the City to transfer that \$514K that helps the City look good on paper.
- **Candy Hammond (Ward- not given):** She questioned what it would look like for the City if there was a 0% increase in the tax rate and what the City would lose.
- **Patricia Beek (Ward-2):** She spoke about her concerns over salary increases and how the Visiting Nurses are not paying taxes, noting the City is paying their way. She would also like her road repaved.

- 1 • **Joan Townsend (Ward-2):** She spoke about her reasons why she felt the City could reach a tax
2 0% tax rate, the City's spending issues, and why she was against the 6% pay raises.
- 3 • **Chris Mazur (Ward 3):** He spoke about the need to have a good/safe community and his
4 frustration with taxes. The City should be looking for inefficiencies.
- 5 • **Mary Davis (Ward-2):** She spoke about the reappraisal of her property and questioned how
6 much her property taxes would increase even at a 0% tax rate. She would like to see something to
7 look at for a 0% tax rate.
- 8 • **Paula Maville (Ward-1):** She spoke about her residency and past work in the City (40 years)
9 noting that no one wants to be set up as an us against them. She felt it was important for everyone
10 to understand that when we take on the budget, we definitely take this on in a serious manner.
11 We are always looking for different forms of revenue and are always looking for input. We don't
12 speak or clap because we are trying to remain impartial in how things are handled, and
13 everyone's consideration is very important. Our ability to generate different forms of revenue is
14 totally restricted by Concord. We cannot set a local tax rate; a local tax on businesses; and we
15 cannot set a different commercial tax rate that is different from what residents pay – it is all
16 dictated by the law. We do not have the ability to do anything that is not expressly
17 approved/authorized by Concord. A lot of what has been said just needs to be elevated to the
18 people running the government at the State level. Housing issues exist state-wide. The City is
19 hamstrung with what she considers a curse and a blessing with Dartmouth Health. We cannot tax
20 them by State Law. We can negotiate with them, but it is only voluntary and they do not have to
21 pay. She wanted everybody to understand that she is in the same circumstance as they are and is
22 willing to have conversations with anyone.

23
24 **Mayor Whittlesey reminded the audience that the Council is trying to avoid the back and forth**
25 **between comments.**

- 26
27 • **Jay Simms (Ward 2):** He came forth again and spoke about the Audit Review and the
28 Unassigned Fund Balance. He requested the math behind the Unassigned Fund Balance because
29 he was uncertain what the Fund Balance was used for and further explained his reasoning.
- 30 • **Sarah Riley (Ward-2):** She spoke about her accolades for the Council and noted that she knows
31 what is affecting our pocketbooks is out of the City's local control. It is dictated by the decisions
32 made at the State/Federal Government levels and further explained her reasoning. She also spoke
33 about her reasons for reducing/eliminating the cemeteries software program in their budget line
34 item.
- 35 • **Heather Johnson (Ward-2):** She spoke about her reasons why she felt the Council needed to be
36 more sensitive to public responses; the lack of creativity around revenue resources; how the City
37 is paying for regional resources; and why the City needs to conduct another Regional Impact
38 Study.

39
40 (NOTE: For complete conversations, please refer to the video on the City's website.)

41
42 **Hearing no further comments from the public, the Public Hearing was closed.**

43
44 **Mayor Whittlesey's response to questions that came up during this portion of the meeting:**

- 45 • **2025 Tax Rate Increase:** The amount of funds raised from taxes was increased by 7.8%. The
46 amounts beyond that tax rate increased because of the City's revaluation. Residential taxpayers
47 were the result of a State-mandated process noting that when home sales in Lebanon are either
48 over 110% or under 90% of the current median assessed value, the State automatically requires
49 the City to re-evaluate all the properties in the City. The State allows us to do 3 methods which
50 they review: 1) Sales, which is what they prefer for residential, 2) Income, or 3) Cost by

1 Replacement – not generally recommended. Commercial/Industrial properties tend to fall to the
2 Income method. Residential Sales is what drove the revaluation increases. We do not have the
3 latitude to change this but will be looking at this more in 2026 to see if there are things we can be
4 doing differently or better.

- 5 • **What happens in a 0% rate increase:** Where there is a revaluation, your impact would be
6 essentially whatever the change in your valuation is compared to the rest of the properties in the
7 City. The City sets one tax rate and that is what the State allows. When we talk about the \$8.11
8 for 2025, that is for every property in the City based off assessed values. We cannot change the
9 rate for commercial/industrial, etc. We are constrained by Concord because they are the only ones
10 who are allowed to change that rate.
- 11 • **Where TIF Funds come from (the extra \$514K):** A portion of that is +/- 3/5ths to 4/5ths are
12 going to come from increased taxes paid by the properties in the TIF District as a result of the
13 revaluation and then some of those extra funds are going to be coming from using the Unassigned
14 Fund Balance within the TIF District. If you look at our audited financials from 2024, it is a little
15 over \$1M.
- 16 • **School District Portion:** The portion that is paid for the school is independent of the portion paid
17 for the City. The City's role in the School Tax is acting as a fiscal custodian. When you pay your
18 tax bill, you pay one bill for City, School, County and State Taxes. We collect those funds, hold
19 them as a custodian, and then send those monies out to the school, county and to the State. When
20 the school finalizes its portion, their 4% increase will be essentially their percentage of the overall
21 (taxes).
- 22 • **0% for Seniors:** Unfortunately, we cannot set different rates based on age, income, etc. We do
23 need to review Elderly Tax Exemptions in 2026 because this has not been done in the wake of the
24 revaluation. We will look to address this issue where we can and what is allowed by the State.
- 25 • **Local Option Taxes:** We are not allowed to do these types of taxes. There is a meal and rooms
26 tax set by the State (+/- 9%), and we are not getting extra funds from that this year or next year.
27 When the States passes their budget, instead of returning a percentage of the meals and rooms tax,
28 it caps the amount that they were going to return to cities and towns in the State of New
29 Hampshire at last year's (2024) rate. We are not allowed to do a local tax unless the State enacts
30 legislation that would allow us to do so.
- 31 • **Unassigned Fund Balance:** The percentage of funds is based off a percentage of the budget. If
32 you did not spend any funds out of the Unassigned Fund Balance, the percentage of available
33 Unassigned Fund Balances would go down as the budget goes up. In 2024, the City used
34 \$2,775,106 of the Unassigned Fund Balance. In 2025, the City used \$1,064,410. In 2026, as
35 presented, the budget is planning on using \$2,388,900 to offset the tax rate, otherwise we would
36 have to raise those funds from taxes. That is also why you see a difference between the budget
37 expense increase and the tax rate.
- 38 • **What a realistic increased number would look like:** He will say for himself, that he looks at
39 this over a much longer term, and he thought fiscal sustainability would be an average of 3%-6%,
40 recognizing that in any given year that may be higher or lower. He spoke only for himself in this
41 matter.
- 42 • **Cemetery Line Item:** This isn't just a subscription; it is a multi-year contract. While one portion
43 of it is a subscription it is an asset management system to manage the plots, who owns them, and
44 where people are buried. The bulk of the cost is actually related to the work the group who sells
45 the subscription does. They come in and verify who is actually buried where and aligns that to
46 plot Deeds and other work. There are significant inconsistencies between burial plot locations vs.
47 ownership. The initial site visit is approximately half the total cost (by contract pro-rated over 5
48 years) and if DPW were to try and do this in-house, along with other work, it would take them
49 many more years to do. This is a service to our resident families and those of our residents who
50 have left us to make sure we know who is buried where.

1
2 **Assistant Mayor Wilkie's response to questions:**

- 3 • **Can we go back to having more of a discussion:** He felt this might be worth considering
4 making a rule change that allows for very brief clarifying answers. There is a good reason for the
5 rule and that is the Council should not engage in back-and-forth discussions during a Public
6 Hearing because this is meant to be a hearing and is not meant to be a debate. The rules expressly
7 forbid (a Public Hearing) from being a debate.
- 8 • **"Parking Lots":** He thought this was reference to the fact that we have millions of dollars in a
9 "parking lot". That was metaphorical. We have millions of dollars-worth of projects that we
10 should be doing to keep our infrastructure from crumbling that we are not doing right now and
11 gave examples.
- 12 • **Finance Committee Membership- Can we have one member be a non-resident:**
13 Unfortunately, that is not something we can do at the moment because what was submitted to us
14 either needs to be approved without correction or sent for a vote (placed on Ballot in March). It is
15 something that can be considered, although someone coming in with experience and paid for
16 services is typically someone that is being hired by the City, and this is the City Manager's
17 responsibility.
- 18 • **6% Salary Increase:** To clarify, we budget for up to 6% in some cases because we have an
19 increase based on the CPI and then other increases as defined in contract. Staff told him that the
20 overall increases are somewhere between 4% - 5% at the most. Contracts can be renegotiated at
21 the end of 2027. Negotiations can begin at the end of 2026. Contracts will go into effect in 2028.
- 22 • **Level Salary Increases so the percentages are not disproportionately benefiting those with a**
23 **higher wage:** He is personally someone who would support tapering salaries and making sure
24 our lower paid workers get paid more. He was uncertain if that is something the Council can do
25 but does know that Step Increases are such that many of our higher paid employees are already at
26 the top and are getting a lower percentage.
- 27 • **Citizens Academy Session on Budget:** This was a good suggestion.
- 28 • **Can we engage a consultant to evaluate the cost to taxpayers:** Mayor Whittlesey noted that
29 the City Manager's responsibility is to present to us (Council) his request for the budget that he
30 feels is sufficient to meet the operating/service level needs of the City. His budget comes to the
31 Council for review, discussion and deliberation.
- 32

33 **Council/Staff Discussions:**

34 **Councilor Zook:** She spoke about the problem residents are having with the revaluation. It treated
35 property like an investment rather than people's homes. It assumed everyone was a real estate investor.
36 This is not what people want here or at the State level either. She questioned if there was an alternative
37 where values can be assessed so people can remain as part of the community.

38

39 **Councilor Stavis:** She spoke about how the State has a vested interest in requiring communities to re-
40 evaluate their properties because those funds go into the State-Wide Education Property Tax, Health and
41 Services; etc. The revaluation process at the State level is pretty much a blunt instrument and does not
42 differentiate between buildings used for residents vs. investments, vs. rental properties, etc. The State just
43 wants to extract the property taxes. A housing caucus is being formed at the State House because this is a
44 global interest to everyone in the State. No one can afford to buy a house in NH anymore – not in any
45 single town in NH. The **median price** for a house in NH has surpassed \$525K. We hope to draft some
46 (housing) legislation (1 to 2.5 year process) in the near future. She also spoke about having the State
47 release more of the rooms and meals taxes back to municipalities and invited the public to come to
48 Concord with her and listen to the debates so they could hear the constraints under which municipalities
49 operate.

50

1 **Councilor McNamara:** One of the comments that came up was a fee on hotel rooms. He had suggested
2 to the legislature that the State should allow us to charge a “fee” of \$2/night/per person. This was turned
3 down twice and we were told that this is just a back door to more taxes and we cannot do it. There are a
4 lot of municipalities like Lebanon that are unique in that they have a large non-residential component that
5 we know, from the way they force us to assess (properties), that are paying a lesser rate than they
6 probably should have and further explained his reasons. He was hoping that we can still pursue a local
7 tax.

8
9 **Mayor Whittlesey:** He noted we are going to be working with the State to see what could be done
10 differently in the revaluations.

11
12 **Assistant Mayor Wilkie:** There were a few statements from the public made about trying to think
13 creatively regarding revenue sources. This is something that both the Council and the City Government
14 have been trying to do. We welcome, and will continue to welcome, other ideas. As we think creatively,
15 he thought that making sure the Enterprise Funds are sufficiently paying for all the General Fund Sources
16 used so that we are not asking the taxpayers to subsidize what other people are doing. He also spoke about
17 his concerns about lowering the tax rate CAP, especially because of what is going on in Concord. It
18 would be prudent for the Council to consider where cuts can be made without harming the services that
19 the City is providing.

20
21 Deputy City Manager Brooks reviewed the criteria for adoption of the 2026 City Budget

22
23 **ACTION: Action on the 2026 City Budget will be via a Budget Adoption Guide attached hereto.**

24 25 **2026 CITY BUDGET ADOPTION GUIDE – DECEMBER 17, 2025**

26
27 This document is provided as a guide to help facilitate adoption of the 2026 City Budget.

- 28 * In conformance with Section 6.06 of the Lebanon City Charter, the Notice of Public Hearing for the
29 2026 Budget adoption process was published in the Valley News on Saturday, November 29, and
30 Saturday, December 6, 2025.
- 31 * Budgets are adopted by the City Council on a fund basis. A fund segregates revenues and expenditures
32 that are legally restricted to specific uses.
- 33 * A majority of City Councilors present and voting, with a quorum of at least **five** members present, is
34 required to approve the annual budget. The issuance or rescission of bonds or notes must be authorized
35 by at least 2/3 (**six**) of the members. The change of purpose for a capital reserve fund must be authorized
36 by at least 3/4 (**seven**) of the members.
- 37 * The City Council may act on the amendments as written, or they may be modified. Amendments may
38 perish for lack of movement and seconding, or other amendments may be introduced.
- 39 * Once the relevant Resolution (MAIN MOTION) has been moved and seconded, amendments may be
40 introduced by being moved, seconded, and voted on. If any amendments are passed, the vote is then on
41 the MAIN MOTION AS AMENDED.
- 42 * Clarity of Resolutions is imperative as the New Hampshire Department of Revenue Administration and
43 the City’s bond counsel review the meeting minutes and actions associated with appropriation and debt
44 issuance authorization for compliance with New Hampshire law.

45
46 Summary of City Manager’s Proposed 2026 City Budget: (amendments to be introduced where applicable
47 during proposed action)

1

<u>Fund</u>	<u>2026 Budget</u>	<u>\$ Chg. V. '25</u>	<u>Sources of Revenues</u>	<u>2026 Budget</u>	<u>\$ Chg. V. '25</u>
General	\$46,519,390	\$1,758,245	Taxes	\$32,347,540	\$1,044,465
Solid Waste Disposal	\$8,117,670	\$1,456,750	Licenses and Fees	\$4,060,200	\$272,600
Water Treatment and Distribution	\$5,644,140	\$739,370	Intergovernmental	\$6,492,000	(\$3,754,250)
Wastewater Collection and Disposal	\$8,925,130	\$133,040	Charges for Services	\$26,169,560	\$897,730
Municipal Airport	\$1,623,220	(\$20,080)	Miscellaneous Sources	\$4,728,150	\$649,970
Emergency Management	\$0	(\$25,000)	Interfund Transfers	\$1,523,070	\$140,170
Heritage Fund	\$0	(\$400)	Bond Proceeds	\$370,950	(\$16,400,700)
Enterprise Properties Revolving Fund	\$3,800	(\$19,300)			
Capital Improvements	\$5,950,220	(\$19,912,140)			
Downtown TIFD	\$1,200,000	\$22,690	Total	\$75,691,470	(\$17,150,015)
Airport TIFD	\$96,800	\$41,300	Applied/(Realized) Fund Balance	\$2,388,900	\$1,324,490
Total	\$78,080,370	(\$15,825,525)	Total Revenues and Fund Balance	\$78,080,370	(\$15,825,525)

2

3 **The estimated 2026 Municipal Tax Rate is \$8.41 per \$1,000 of assessed real estate value, an increase**
4 **of \$0.31 or 3.8% from the 2025 tax rate.** A single-family home assessed for \$350,000 will have an
5 estimated 2026 municipal tax bill of about \$2,943, an increase of \$108. Four rates make up the Total Tax
6 Rate: Municipal, County, Local Education, and State Education. This budget concerns the Municipal
7 portion only. **Increases of 8.0% and 3.0% to water and wastewater service rates, respectively, are**
8 **factored into the budget.**

9

10 ORDER OF BUSINESS:

- 11 1. OPEN PUBLIC HEARING
- 12 2. CLOSE PUBLIC HEARING
- 13 3. ENACT RESOLUTIONS TO ADOPT 2026 BUDGET

14

15 Proposed Resolutions include the following:

16

<u>Resolution</u>	<u>Page(s)</u>	<u>Purpose of Action</u>
No. 1	3	To Vote on the General Fund Budget
No. 2	3	To Vote on the Solid Waste Disposal Fund Budget
No. 3	4	To Vote on the Water Treatment and Distribution Fund Budget
No. 4	4	To Vote on the Wastewater Collection and Disposal Fund Budget

No. 5	4-5	To Vote on the Municipal Airport Fund Budget
No. 6	5	To Vote on the Enterprise Properties Revolving Fund Budget
No. 7	5	To Vote on the Downtown Lebanon Tax Increment Finance District Budget
No. 8	6	To Vote to Authorize the Transfer of Funds from the Downtown Lebanon TIF District Budget to the General Fund
No. 9	6	To Vote to Authorize the Transfer of Funds from the Downtown Lebanon TIF District Unassigned Fund Balance to the General Fund
No. 10	6-7	To Vote on the Lebanon Airport-Tech Park Tax Increment Finance District Budget
No. 11	7	To Vote to Authorize the Transfer of Funds from the Lebanon Airport-Tech Park TIF District Budget to the Airport Fund
No. 12	7-9	To Vote on the Capital Improvements Fund Budget
No. 13	9-10	To Vote on the Authorization of the Issuance of Bonds or Notes to Finance 2026 Capital Improvements
No. 14	10-11	To Vote to Authorize the Transfer of Funds to Special Revenue Funds, Capital Project Funds, Water Treatment Fund, and Capital Reserve Funds
No. 15	11	To Vote to Authorize the Transfer of Funds from the Downtown Lebanon TIF District Unassigned Fund Balance to the Capital Improvements Fund

6. PUBLIC HEARING ITEM:

A. ADOPTION OF 2026 CITY BUDGET – Public Hearing for the purpose of receiving public input and taking action to adopt the 2026 City Budget as proposed by the City Manager with additional actions to include: authorizing the issuance of bonds or notes to finance 2026 capital improvements; authorizing the transfer of funds to Special Revenue Funds, Capital Improvements Funds, Water Treatment Fund, and Capital Reserve Funds; authorizing the transfer of funds from the Lebanon Downtown TIF District Budget to the General Fund; authorizing the transfer of funds from the Lebanon Downtown TIF District Fund Balance to the General Fund; authorizing the transfer of funds from the Lebanon Airport-Tech Park TIF District Budget to the Airport Fund; and authorizing the transfer of funds from the Lebanon Downtown TIF District Fund Balance to the Capital Improvements Fund.

Included in the agenda packet: [\(All supportive documents and information can be found on pages 2-16 Council agenda packet\)](#)

1. 2026 Budget Adoption Guide

Information Available but not Included in this Section:

1. 2026 Proposed City Manager Budget Information – LebanonNH.gov/Budget

RESOLUTION NO. 1

*** MOTION BY COUNCILOR SIMON TO MOVE PASSAGE OF RESOLUTION NO. 1 TO APPROPRIATE \$46,519,390 FOR GENERAL CITY OPERATIONS:**

RESOLVED, for the purpose of authorizing and financing the General Fund budget.

BE IT FURTHER RESOLVED, by the City of Lebanon, that funds be raised and appropriated in the amount of \$46,519,390.

This resolution shall be effective January 1, 2026.

1
2 **SECONDED BY COUNCILOR SYKES. VOTE ON THE MOTION AS AMENDED BELOW: 9/0.**

3
4 **PROPOSED AMENDMENT(S) TO RESOLUTION NO. 1**

5
6 **Councilor McNamara noted he had 4 amendments he wanted to propose and if these pass the total**
7 **reductions to the budget would be in excess of \$300K**

8
9 (1) **MOTION BY COUNCILOR MCNAMARA** to decrease the funds to be raised and appropriated
10 for the Lebanon Library in the amount of \$18,990.00 with the purpose of encouraging the Library
11 Trustees to level UNFILLED the full-time position of the IT Librarian and to further reduce funding
12 in the Finance Department budget by \$38K to eliminate the Health and Dental benefits associated
13 with this position.
14

15 Councilor McNamara spoke to his MOTION by suggesting that the libraries consider using the services
16 provided by the City's Cyber Services Department to help address technical computing issues. To provide
17 assistance to patrons who lack computer literacy he further suggested that the Library of Trustees consider
18 using a portion of the Foundation fund to create internships or similar work opportunities for computer-
19 savvy Lebanon High School student to assist patrons in computer use. He believed this would be an
20 economical way to address this issue and would benefit both the students and the patrons. We have declined
21 to provide funds for this position, which was unfilled last year, and he saw no reason why this should not
22 continue this year. He noted this would save about \$150K in and of itself this year, and what they assume
23 to be 9-month's-worth of cost.
24

25 **Council/Staff Comments:**

26 Councilor Simon wanted to be on record that he concurs 100% with Councilor McNamara.
27

28 Assistant Mayor Wilkie was not in favor of this amendment because he was concerned that in an era where
29 Federal/State Governments seem to be cutting many vital services, and many services that provide
30 important support to the people in our community, and especially in an era where fact and information seem
31 to be risk, he was concerned with the optics of defunding one of our primary education information services
32 organizations and further explained his reasons. This is not your typical IT position that is provided by an
33 internal person, this more of a public-facing role. A request for interns would come with an increase in staff
34 needs rather than a decrease in staff needs.
35

36 The Council continued discussions regarding: How the IT Services jobs that we have outside of the Library
37 are totally different in their focus and their scope; how the more needy folks who come into the Libraries
38 need more help because they are not as computer literate; how the Libraries computers are made available
39 for people so they can send their forms to wherever they need to be sent and use to communicate with
40 family because they may not have a computer/smart phone, etc. at home; for clarification purposes, how
41 the Libraries are in a unique position because the allocation of their funds are done by the Trustees and not
42 the City and if they wanted to prioritize to preserve that position this could be done by them; how the City
43 does not dictate to the Libraries what they can do with their funds; how, even though the Library Board of
44 Trustees may choose to do something different, we have an obligation to go on record about how we see
45 this question; how this position was eliminated last year (not because it was not needed, not because the
46 Library of Trustees said they could sacrifice this position) but because it was just not filled at that time and
47 it is not a good reason to make a budget decision this year, especially when the Library of Trustees and the
48 Director report this position is a librarian with technology expertise; how systems librarians are unique to
49 the Libraries and typically require a Master of Science Degree because they are so integrated; how there
50 are different areas of expertise needed in the libraries and the Lebanon libraries have one (1) person doing

1 that job; how no one else can do their job when that person is gone; how having those systems up and
2 running is critical to keeping the libraries open; how concerns were expressed this last year that the services
3 needed were not present, and; how a study should be done regarding the effect this vacancy has had (on the
4 libraries) and the need to have a conversation with the existing IT staff to see how forces might be combined.
5

6 **SECONDED BY COUNCILOR SIMON. VOTE ON THE AMENDMENT 4/4/1. AMENDMENT**
7 **FAILED**

8 **Yea: Councilors Simon, Zook, Stavis McNamara**

9 **Nay: Councilors Heistad, N. Ford Burley, Sykes and Assistant Mayor Wilkie**

10 **Abstained: Mayor Whittlesey**
11

12 **(2) MOTION BY COUNCILOR MCNAMARA to decrease the Human Services Department**
13 **Budget by \$27,590 to level fund the annual contribution to LISTEN Community Services at**
14 **last level of \$64,410.**
15

16 Councilor McNamara spoke to his MOTION noting that all of our other contributions to outside agencies
17 are level funded this year, and the Human Services Director suggested the LISTEN be level funded as well.
18 LISTEN has a substantial source of income from their thrift stores and a very healthy reserve account and
19 their property on Miracle Mile is tax exempt. Lebanon is unique among Upper Valley Communities in that
20 we provide annual funding to LISTEN, consistently, at an amount that greatly exceeds contributions by the
21 communities. He reached out to LISTEN about their request for other communities this year and they were
22 looking for \$6500 from Enfield; \$10K from Hanover, and \$2K each from Sharon and Plainfield. Even at
23 the level funded amount of \$64,410 we are still way above the other communities. LISTEN does provide a
24 very valuable service to Lebanon residents, but the majority of their income is derived from their thrift store
25 in Lebanon and is tax exempt property, and; they basically have zero costs for their inventory (based on
26 donations).
27

28 **Council/Staff Comments:**

29 Assistant Mayor Wilkie disagreed with this MOTION noting this is a small amount relative to some of the
30 others that we are going to be considering. He thought this is a valuable service and most people who are
31 relying on these services are probably not showing up to a meeting or are not willing to speak because they
32 are afraid to.
33

34 **SECONDED BY COUNCILOR STAVIS. VOTE ON THE AMENDMENT WAS 6/3.**

35 **Yea: Councilors Simon, Zook, Heistad, and N. Ford Burley**

36 **Nay: Councilors N. Ford Burley, Sykes, and Assistant Mayor Wilkie**
37

38 **(3) MOTION BY COUNCILOR MCNAMARA that the budget for the Finance and Assessing**
39 **Department be decreased by \$60,220 to allow for six (6) months of funding for a transitional**
40 **Deputy Assessor rather than the 12 months originally requested.**
41

42 Councilor McNamara spoke to his MOTION noting we have one Deputy Assessor right now and is
43 approaching retirement age probably within the next 2-3 years. This is a really complicated position, and
44 he understands that bringing someone in to ultimately take her position will require some turnover time, so
45 they really understand what she does. This would be a second FTE, but it is a 2nd FTE in that once she
46 retires, they would become essentially her. We had some discussion subsequent to the budget session, and
47 it feels like 1.5 years would be enough. We can basically take 6 months out of that 2-year time.
48

49 **Council/Staff Comments:**

1 The Council and Human Resource Director Lauzon held discussions regarding how long it would take to
2 hire/train a new Deputy Assessor, the labor pool available, and the specialized training requirements
3 needed.

4
5 **SECONDED BY ASSISTANT MAYOR WILKIE. VOTE ON THE AMENDMENT WAS 8/1.**

6 **Yea: Councilors Simon, Zook, Heistad, N. Ford Burley, Stavis, McNamara and Mayor Whittlesey**
7 **and Assistant Mayor Wilkie**

8 **Nay: Councilor Sykes**
9

10 (4) MOTION BY COUNCILOR MCNAMARA that the Arts, Recreation and Parks Department's
11 budget be decreased by **\$13,000** by eliminating funding for the annual fireworks display, that the
12 Planning and Development Department budget be decreased by **\$15,000** by reducing the allowance
13 for outside consultants, and; that the City Clerk's Office budget be reduced by **\$20,000** by reducing
14 funds for overtime, and; that the Library budget be reduced in two areas: 1) by **\$25,000** for snow
15 plowing by an outside contractor with this service now to be provided by the City Department of
16 Public Works existing staff, and 2) an additional **\$15,000** decrease in the Libraries budget for
17 electricity costs.
18

19 Mayor McNamara spoke to his MOTION by noting that the Kilton Library currently employs an outside
20 contract to do the plowing and believes this could be done in-house by DPW staff.
21

22 **SECONDED BY COUNCILOR SIMON. VOTE ON THE AMENDMENT WAS 9/0.**
23

24 (5) MOTION BY ASSISTANT MAYOR WILKIE to decrease the funds to be raised and
25 appropriated for the General Fund by **\$25,000** for a reduction to the Finance Budget FSA
26 line.
27

28 Assistant Mayor Wilkie spoke to his MOTION by noting that in looking through previous years'
29 expenditures and talking with Finance about where we are, he felt there is an opportunity to try to cut this
30 (Finance is not in agreement). It is possible we will need to come back with a supplemental appropriation
31 because these are benefits that are already on offer and we do not want to try to renegotiate contracts at this
32 point.
33

34 **Council/Staff Comments:**

35 The Council and Finance discussed: What the FSA means (Flexible Spending Account), which is a benefit
36 that the prior City Manager developed for City Staff and it provided up to \$5K/per staff member of FSA
37 benefits to cover, for example, afterschool care, summer camp, and basically any kind of care that an
38 employee would be paying for that enables them to work, and; how, typically, any funds that an employee
39 allocates to an FSA expires if it is unspent 90 days after the tax year, but if the City does this, the City keeps
40 the funds; how the benefit stays in place and it is just what has been budgeted for next year as an expense
41 that is being reduced; how this benefit is available to employees and if we get up close to the budgeted
42 amount we may have to come back for more funding.
43

44 **SECONDED BY COUNCILOR N. FORD BURLEY. VOTE ON THE AMENDMENT 9/0.**
45

46 **RESOLUTION NO. 2** 47

48 * **MOTION BY COUNCILOR ZOOK TO MOVE PASSAGE OF RESOLUTION NO. 2 TO**
49 **APPROPRIATE \$8,117,670 FOR SOLID WASTE DISPOSAL:**
50

1 RESOLVED, for the purpose of authorizing and financing the Solid Waste Disposal Fund budget.

2
3 BE IT FURTHER RESOLVED, by the City of Lebanon, that funds be raised and appropriated in the amount
4 of \$8,117,670, as follows:
5

Revenue Source	Amount
Other Licenses, Permits & Fees	\$ 77,750
Charges for Services	\$ 6,806,040
Interest on Investments	\$ 67,980
Rents of Property	\$ 24,000
Other Miscellaneous Revenue	\$ 964,700
Amount Voted from Fund Balance	\$ 177,200
TOTAL	\$ 8,117,670

6
7 This resolution shall be effective January 1, 2026.
8

9 **SECONDED BY COUNCILOR MCNAMARA. VOTE ON THE MOTION WAS 9/0.**

10
11 **RESOLUTION NO. 3**
12

13 * **MOTION BY COUNCILOR HEISTAD TO MOVE PASSAGE OF RESOLUTION NO. 3**
14 **TO APPROPRIATE \$5,644,140 FOR WATER TREATMENT AND DISTRIBUTION:**
15

16 RESOLVED, for the purpose of authorizing and financing the Water Treatment and Distribution Fund
17 budget.
18

19 BE IT FURTHER RESOLVED, by the City of Lebanon, that funds be raised and appropriated in the amount
20 of \$5,644,140.
21

22 This resolution shall be effective January 1, 2026.
23

24 **SECONDED BY COUNCILOR STAVIS. VOTE ON THE MOTION WAS 9/0.**
25

26 **RESOLUTION NO. 4**
27

28 * **MOTION BY COUNCILOR N. FORD BURLEY TO MOVE PASSAGE OF RESOLUTION**
29 **NO. 4 TO APPROPRIATE \$8,925,130 FOR WASTEWATER COLLECTION AND DISPOSAL:**
30

31 RESOLVED, for the purpose of authorizing and financing the Wastewater Collection and Disposal Fund
32 budget.
33

34 BE IT FURTHER RESOLVED, by the City of Lebanon, that funds be raised and appropriated in the amount
35 of \$8,925,130.
36

37 This resolution shall be effective January 1, 2026.
38

39 **SECONDED BY COUNCILOR SIMON. VOTE ON THE MOTION WAS 9/0.**
40

RESOLUTION NO. 5

*** MOTION BY MAYOR WHITTLESEY TO MOVE PASSAGE OF RESOLUTION NO. 5 TO APPROPRIATE \$1,623,220 FOR MUNICIPAL AIRPORT OPERATIONS:**

RESOLVED, for the purpose of authorizing and financing the Municipal Airport Fund budget.

BE IT FURTHER RESOLVED, by the City of Lebanon, that funds be raised and appropriated in the amount of \$1,623,220, as follows:

Revenue Source	Amount
Other State Grants and Reimbursements	\$ 7,500
Airport Fees	\$ 801,930
Other Charges	\$ 69,050
Interest on Investments	\$ 15,450
Rents of Property	\$ 563,590
Other Miscellaneous Revenue	\$ 100
Transfer from Airport TIF District	\$ 96,800
Amount Voted from Fund Balance	\$ 68,800
TOTAL	\$ 1,623,220

This resolution shall be effective January 1, 2026.

SECONDED BY COUNCILOR N. FORD BURLEY. VOTE ON THE MOTION AS AMENDED BELOW WAS 9/0.

PROPOSED AMENDMENT(S) TO RESOLUTION NO. 5

[Proposed Amendment #1 below is optional if the City Council wishes to undertake the Airport Taxiway A Extension project in FY2026 (See also Amendment #1 to Resolution #12). This proposed Amendment, as drafted, would utilize Operating Funds to pay the City's share of the project costs. Alternatively, the City Council could choose to issue bonds or notes for the City's share of the project costs by approving Amendment #1 to Resolution #13 instead.]

(1) **MOTION BY ASSISTANT MAYOR WILKIE** to increase the Municipal Airport Fund budget by \$98,125 for the purpose of funding the City's portion of the Airport Taxiway A Extension capital project and in anticipation of offsetting revenues of at least \$98,125 as a result of increases in landing fees adopted through Ordinance #2025-09 on October 15, 2025.

SECONDED BY COUNCILOR MCNAMARA. VOTE ON THE AMENDMENT WAS 9/0.

RESOLUTION NO. 6

*** MOTION BY ASSISTANT MAYOR WILKIE TO MOVE PASSAGE OF RESOLUTION NO. 6 TO APPROPRIATE \$3,800 FOR THE ENTERPRISE PROPERTIES REVOLVING FUND:**

RESOLVED, for the purpose of authorizing and financing the Enterprise Properties Revolving Fund budget.

1 BE IT FURTHER RESOLVED, by the City of Lebanon, that funds be raised and appropriated in the amount
2 of \$3,800.

3
4 This resolution shall be effective January 1, 2026.

5
6 **SECONDED BY COUNCILOR MCNAMARA. VOTE ON THE MOTION WAS 9/0.**

7
8 **RESOLUTION NO. 7**

9
10 * **MOTION BY COUNCILOR SYKES TO MOVE PASSAGE OF RESOLUTION NO. 7 TO**
11 **APPROPRIATE \$956,100 FOR THE DOWNTOWN LEBANON TAX INCREMENT FINANCE**
12 **DISTRICT:**

13
14 RESOLVED, for the purpose of financing the Downtown Lebanon Tax Increment Finance (TIF) District
15 Fund budget.

16
17 BE IT FURTHER RESOLVED, by the City of Lebanon, that funds be raised and appropriated in the amount
18 of \$956,100.

19
20 This resolution shall be effective January 1, 2026.

21
22 **SECONDED BY COUNCILOR STAVIS. VOTE ON THE MOTION AS AMENDED BELOW WAS**
23 **9/0.**

24
25 **PROPOSED AMENDMENT TO RESOLUTION NO. 7**

26
27 (1) **MOTION BY COUNCILOR MCNAMARA** to increase the amount of funds to be raised and
28 appropriated for the Downtown Lebanon Tax Increment Finance (TIF) District Fund budget by
29 \$353,900 based on increased property valuations within the Downtown Lebanon TIF District
30 resulting from the 2025 City-wide revaluation.

31
32 **SECONDED BY COUNCILOR SYKES. VOTE ON THE AMENDMENT WAS 9/0.**

33
34 **RESOLUTION NO. 8**

35
36 * **MOTION BY COUNCILOR STAVIS TO MOVE PASSAGE OF RESOLUTION NO. 8 TO**
37 **REQUEST THE CITY MANAGER TO TRANSFER DOWNTOWN LEBANON TIF DISTRICT**
38 **FUNDS TO THE GENERAL FUND:**

39
40 RESOLVED, for the purpose of transferring funds from the 2026 Downtown Lebanon Tax Increment
41 Finance (TIF) District Fund budget to the General Fund.

42
43 WHEREAS, the City Manager in accordance with the provisions of City Charter Section 6.10 has the
44 authority to transfer appropriations from one fund to another; and

45
46 WHEREAS, the City Manager is the District Administrator for the Downtown Lebanon TIF District.

47
48 BE IT FURTHER RESOLVED, by the City of Lebanon, that the City Council requests the City Manager
49 transfer funds in the amount of \$956,100 from the 2026 Downtown Lebanon Tax Increment Finance District

Fund budget to the General Fund to offset all or part of the cost of debt service for various capital projects that have occurred or are occurring in the Downtown Lebanon TIF District, including but not limited to: the Spencer Street Rehabilitation, the Mechanic-High-Mascoma Streets Intersection, the City Hall Renovation, and the Fire Station #1 Reconstruction.

This resolution shall be effective January 1, 2026.

SECONDED BY COUNCILOR MCNAMARA. VOTE ON THE MOTION AS AMENDED BELOW WAS 9/0.

PROPOSED AMENDMENT TO RESOLUTION NO. 8

(1) **MOTION BY COUNCILOR MCNAMARA** to increase the amount of funds requested to be transferred from the 2026 Downtown Lebanon Tax Increment Finance (TIF) District Fund budget to the General Fund by \$353,900 to further offset all or part of the cost of debt service for various capital projects that have occurred or are occurring in the Downtown Lebanon TIF District.

SECONDED BY COUNCILOR N. FORD BURLEY. VOTE ON THE AMENDMENT WAS 9/0.

RESOLUTION NO. 9

* **MOTION BY COUNCILOR MCNAMARA TO MOVE PASSAGE OF RESOLUTION NO. 9 TO AUTHORIZE THE TRANSFER OF FUNDS FROM THE DOWNTOWN LEBANON TIF DISTRICT UNASSIGNED FUND BALANCE TO THE GENERAL FUND:**

RESOLVED, for the purpose of transferring funds from the Unassigned Fund Balance of the Downtown Lebanon Tax Increment Finance (TIF) District Fund to the General Fund.

BE IT FURTHER RESOLVED, by the City of Lebanon, that funds in the amount of \$243,900 be transferred from the Downtown Lebanon TIF District Unassigned Fund Balance to the General Fund to pay for all or part of the cost of debt service for the Downtown Tunnel Reconstruction Project.

This resolution shall be effective January 1, 2026.

SECONDED BY COUNCILOR SYKES. VOTE ON THE MOTION AS AMENDED BELOW 9/0.

PROPOSED AMENDMENT TO RESOLUTION NO. 9

(2) **MOTION BY COUNCILOR N. FORD BURLEY** to increase the amount of funds requested to be transferred from the Downtown Lebanon TIF District Unassigned Fund Balance to the General Fund by \$156,100 to further offset all or part of the cost of debt service for the Downtown Tunnel Reconstruction Project and other capital projects that have occurred or are occurring in the Downtown Lebanon TIF District.

SECONDED BY COUNCILOR MCNAMARA. VOTE ON THE AMENDMENT WAS 9/0.

RESOLUTION NO. 10

* **MOTION BY COUNCILOR SIMON TO MOVE PASSAGE OF RESOLUTION NO. 10 TO**

1 **APPROPRIATE \$96,800 FOR THE LEBANON AIRPORT-TECH PARK TAX INCREMENT**
2 **FINANCE (TIF) DISTRICT:**

3
4 RESOLVED, for the purpose of financing the Lebanon Airport-Tech Park Tax Increment Finance (TIF)
5 District Fund budget.

6
7 BE IT FURTHER RESOLVED, by the City of Lebanon, that funds be raised and appropriated in the amount
8 of \$96,800.

9
10 This resolution shall be effective January 1, 2026.

11
12 **SECONDED BY COUNCILOR STAVIS. VOTE ON THE MOTION WAS 9/0.**

13
14 **RESOLUTION NO. 11**

15
16 * **MOTION BY COUNCILOR ZOOK TO MOVE PASSAGE OF RESOLUTION NO. 11 TO**
17 **REQUEST THE CITY MANAGER TO TRANSFER LEBANON AIRPORT-TECH PARK TIF**
18 **DISTRICT FUNDS TO THE AIRPORT FUND:**

19
20 RESOLVED, for the purpose of transferring funds from the 2026 Lebanon Airport-Tech Park TIF District
21 budget to the Airport Fund.

22
23 WHEREAS, the City Manager in accordance with the provisions of City Charter Section 6.10 has the
24 authority to transfer appropriations from one fund to another; and

25
26 WHEREAS, the City Manager is the District Administrator for the Lebanon Airport-Tech Park TIF District.

27
28 BE IT FURTHER RESOLVED, by the City of Lebanon, that the City Council requests the City Manager
29 transfer funds in the amount of \$96,800 from the 2026 Lebanon Airport-Tech Park TIF District budget to
30 the Airport Fund to offset all or part of the cost of debt service for the capital expenditures to construct an
31 extension of Airpark Road and associated utility infrastructure to facilitate new development within the
32 Lebanon Airport-Tech Park TIF District.

33
34 This resolution shall be effective January 1, 2026.

35
36 **SECONDED BY COUNCILOR STAVIS. VOTE ON THE MOTION WAS 9/0.**

37
38 **RESOLUTION NO. 12**

39
40 * **MOTION BY COUNCILOR HEISTAD TO MOVE PASSAGE OF RESOLUTION NO. 12**
41 **TO APPROPRIATE \$5,950,220 FOR CAPITAL IMPROVEMENTS AND ACQUISITIONS:**

42
43 RESOLVED, for the purpose of authorizing and financing the Capital Improvements Fund budget.

44
45 BE IT FURTHER RESOLVED, by the City of Lebanon, that funds be appropriated in the amount of
46 \$5,950,220 for expenditure in connection with the following Capital Improvements and Acquisitions:

Department	Project Name	Total Appropriated	Prior to 2026	2026	Bonds/Note Proceeds/Debt	Existing Funds from CRF	Transfers to CIP	Other (SAD, sale proceeds, etc)	Inter- governmental Grants
AIRPORT FUND									
AIR	2026 T-Hangar Construction	\$4,120,000	\$0	\$4,120,000	\$370,950				\$3,749,050
NEW-AIR	Pavement Management Plan	\$85,000	\$0	\$85,000			\$2,120		\$82,880
	TOTAL AIRPORT	\$4,205,000	\$0	\$4,205,000	\$370,950	\$0	\$2,120	\$0	\$3,831,930
GENERAL FUND									
FLEET & EQUIPMENT									
DPW	Fleet Replacement	\$620,000		\$620,000		\$620,000			
ROADS & BRIDGES									
DPW	Trues Brook Road Bridge Replacement #066-059	\$5,602,550	\$5,369,330	\$233,220			\$5,150		\$228,070
	TOTAL GENERAL FUND	\$6,222,550	\$5,369,330	\$853,220	\$0	\$620,000	\$5,150	\$0	\$228,070
WATER FUND									
DPW-WATER	Farnum Hill Tank – Water Age and Quality	\$390,000	\$0	\$390,000			\$390,000		
	TOTAL WATER FUND	\$390,000	\$0	\$390,000	\$0	\$0	\$390,000	\$0	\$0
SOLID WASTE FUND									
DPW-SOLID	Landfill Phase 3-4 Design, Permitting, and Construction	\$1,801,000	\$1,534,000	\$267,000			\$267,000		
DPW-SOLID	Fleet Replacement	\$235,000		\$235,000		\$235,000			
	TOTAL SOLID WASTE FUND	\$2,036,000	\$1,534,000	\$502,000	\$0	\$235,000	\$267,000	\$0	\$0
	TOTAL 2026 CAPITAL IMPROVEMENTS PROGRAM	\$12,853,550	\$6,903,330	\$5,950,220	\$370,950	\$855,000	\$664,270	\$0	\$4,060,000

BE IT FURTHER RESOLVED, that the City Manager is authorized to take steps necessary and appropriate to apply for and secure maximum federal and state grant funding assistance; and

BE IT FURTHER RESOLVED, that the amounts indicated above for each project are estimates and that the City Manager may allocate more funds to any one or more of such projects, and less to others, so long as, in the judgment of the City Manager, each of the projects described above can be completed within the total appropriation made by this Resolution.

This resolution shall be effective January 1, 2026.

SECONDED BY COUNCILOR MCNAMARA. VOTE ON THE MOTION AS AMENDED BELOW 9/0.

PROPOSED AMENDMENT(S) TO RESOLUTION NO. 12

[Proposed Amendment #1 is optional and is recommended if the City Council wishes to undertake the Airport Taxiway A Extension project in FY2026. This proposed Amendment, as drafted below, presumes the City Council approved Amendment #1 to Resolution #5, which anticipates a transfer of \$98,125 from the Municipal Airport Fund budget to the Capital Improvements Fund for the City's share of the project costs. If Amendment #1 to Resolution #5 was not approved, the City Council could, nevertheless, proceed with the Taxiway A Extension project by authorizing the issuance of bonds or notes as proposed in Amendment #1 to Resolution #13, but the table below would need to be changed to show the \$98,125 as "Bond/Note Proceeds" instead of "Transfers to CIP".]

(1) MOVED BY COUNCILOR STAVIS to amend the list of 2026 Capital Improvements Projects to add the Airport Taxiway A Extension project, and to increase estimated revenues to the Capital Improvements Fund budget by \$3,925,000 for same. The Federal Aviation Administration (FAA) has offered to allocate unspent funds from another airport to the Lebanon Airport to complete the Taxiway A Extension project in FY2026, instead of FY2027, which will reduce the City's share of project costs by 50% or approximately \$98,125.

BE IT FURTHER MOVED, that the Capital Improvements Project list be amended to include the following:

Dept	Project Name	Total Appropriated	Prior to 2026	2026	Bond/Note Proceeds/ Debt	Existing Funds from CRF	Transfers To CIP	Other (SAD, Sale Proceeds, etc)	Inter-governmental Grants
	<u>AIRPORT FUND</u>								
AIR	2026 Taxiway A Extension	\$3,925,000	\$0	\$3,925,000			\$98,125		\$3,826,875
	TOTAL ADDITIONAL CAPITAL IMPROVEMENTS PROGRAM	\$3,925,000	\$0	\$3,925,000			\$98,125		\$3,826,875

SECONDED BY COUNCILOR MCNAMARA. VOTE ON THE AMENDMENT WAS 9/0.

[Proposed Amendment #2 below is optional if the City Council wishes to proceed with the Mechanic Street/High Street/Mascoma Street Intersection project in FY2026. This proposed Amendment, as drafted below, anticipates the use of funds from the Downtown Lebanon TIF District Unassigned Fund Balance to pay for the City's share of the additional project costs in conjunction with proposed Resolution #15.]

(2) MOVED BY COUNCILOR WILKIE to amend the list of 2026 Capital Improvements Projects to add the DPW Mechanic Street/High Street/Mascoma Street Intersection project, and to increase estimated revenues to the Capital Improvements Fund budget by \$1,152,250 for same. Contractor bids for the project were received on November 13, 2025, and came in higher than expected. Eighty percent (80%) of the additional costs will be covered by the NH Department of Transportation, and the City's twenty percent (20%) share of additional costs is proposed to be paid for with funds from the Downtown Lebanon Tax Increment Finance District Unassigned Fund Balance.

BE IT FURTHER MOVED, that the Capital Improvements Project list be amended to include the following:

Dept	Project Name	Total Appropriated	Prior to 2026	2026	Bond/Note Proceeds/ Debt	Existing Funds from CRF	Transfers To CIP	Other (SAD, Sale Proceeds, etc)	Inter-governmental Grants
	<u>GENERAL FUND</u>								
DPW	Mechanic Street/High Street/ Mascoma Street Intersection	\$5,821,998	\$4,669,748	\$1,152,250			\$230,450		\$921,800
	TOTAL ADDITIONAL CAPITAL IMPROVEMENTS PROGRAM	\$5,821,998	\$4,669,748	\$1,152,250			\$230,450		\$921,800

SECONDED BY COUNCILOR N. FORD BURLEY. VOTE ON THE AMENDMENT WAS 9/0.

RESOLUTION NO. 13

*** MOTION BY COUNCILOR N. FORD BURLEY TO MOVE PASSAGE OF RESOLUTION NO. 13 TO AUTHORIZE THE ISSUANCE OF BONDS OR NOTES TO FINANCE 2026 CAPITAL IMPROVEMENTS:**

RESOLVED, by the City of Lebanon, that the City Treasurer, with the approval of the City Manager, is authorized to issue, in accordance with the Municipal Finance Act (RSA 33), a bond issue or bond issues in an amount not to exceed \$370,950 as follows:

Department	Project Name	Estimated		
		Useful Life	Paid for by	Amount
	<u>AIRPORT FUND</u>			
AIR	2026 T-Hangar Construction	20 Years	Airport User Fees	\$370,950
	TOTAL CITY CAPITAL IMPROVEMENTS PROGRAM			\$370,950

BE IT FURTHER RESOLVED, that, except as herein otherwise provided, discretion to fix the dates, maturities, denominations, interest rate, form, and other details of said note(s) / issue(s), is hereby delegated to the City Treasurer, with the approval of the City Manager; and

BE IT FURTHER RESOLVED, that, in accordance with the requirements of the Municipal Finance Act (RSA 33:2 Repayment of Loans), no loans issued to pay for public works or improvements shall exceed the expected useful life of said public works or improvements as determined by the City Council as designated in the foregoing table.

This resolution shall be effective January 1, 2026.

SECONDED BY COUNCILOR STAVIS. VOTE ON THE MOTION WAS 9/0.

PROPOSED AMENDMENT(S) TO RESOLUTION NO. 13 – NO VOTE TAKEN ON THIS AMENDMENT

[This Amendment is recommended only if the City Council approved Amendment #1 to Resolution #12 but did not approve Amendment #1 to Resolution #5.]

(1) MOVED BY COUNCILOR _____ to increase the amount of bonds/notes authorized to be issued to finance 2026 Capital Improvements by up to \$98,125 for the Airport Taxiway A Extension project. The Federal Aviation Administration (FAA) has offered to allocate unspent funds from another airport to the Lebanon Airport to complete the Taxiway A Extension project in FY2026, instead of FY2027, which will reduce the City's share of project costs by 50% or approximately \$98,125.

Department	Project Name	Estimated		
		Useful Life	Paid for by	Amount
	<u>AIRPORT FUND</u>			
AIR	2026 Taxiway A Extension	20 Years	Airport User Fees	\$98,125
	TOTAL ADDITIONAL CAPITAL IMPROVEMENTS PROGRAM			\$98,125

SECONDED BY COUNCILOR _____ . VOTE ON THE AMENDMENT ____/____.

RESOLUTION NO. 14

*** MOTION BY MAYOR WHITTLESEY TO MOVE PASSAGE OF RESOLUTION NO. 14 TO AUTHORIZE THE TRANSFER OF FUNDS TO SPECIAL REVENUE FUNDS, CAPITAL PROJECT FUNDS, WATER TREATMENT FUND, AND CAPITAL RESERVE FUNDS:**

RESOLVED, for the purpose of financing the Special Revenue Funds, Capital Project Funds, Water Treatment Fund, and Capital Reserve Funds.

BE IT FURTHER RESOLVED, by the City of Lebanon, that funds in the amount of \$1,236,050 be transferred as follows:

INTERFUND TRANSFERS	
TRANSFERS TO SPECIAL REVENUE FUNDS	
From General Fund	
to the Enterprise Properties Revolving Fund	\$ 3,800
TRANSFERS TO CAPITAL PROJECT FUNDS	
From General Fund	
to the Capital Improvement Fund – Trues Brook Road Bridge Replacement Project #066-059	\$ 5,150
TRANSFERS TO WATER TREATMENT FUND	
From General Fund	
for Fire Protection-Hydrants	\$ 302,100
TRANSFERS TO CAPITAL RESERVE FUNDS	
From General Fund	
to the Fire Department Equipment and Vehicles Capital Reserve Fund	\$ 165,000
to the DPW Department Equipment and Vehicles Capital Reserve Fund	\$ 620,000
to the Recreation and Parks Equipment and Vehicles Capital Reserve Fund	\$ 40,000
to the Police Department Equipment, Vehicles, and Improvements Capital Reserve Fund	\$ 50,000
to the General Fund Accrued Benefits Liability Expendable Trust Fund	\$ 50,000
TOTAL	\$ 1,236,050

This resolution shall be effective January 1, 2026.

SECONDED BY COUNCILOR MCNAMARA. VOTE ON THE MOTION WAS 9/0.

RESOLUTION NO. 15

[This Resolution is recommended only if the City Council approved Amendment #2 to Resolution #12]

*** MOTION BY ASSISTANT MAYOR WILKIE TO MOVE PASSAGE OF RESOLUTION NO. 15 TO AUTHORIZE THE TRANSFER OF FUNDS FROM THE DOWNTOWN LEBANON TAX INCREMENT FINANCE (TIF) DISTRICT UNASSIGNED FUND BALANCE TO THE CAPITAL IMPROVEMENTS FUND:**

1 RESOLVED, for the purpose of transferring funds from the Unassigned Fund Balance of the Downtown
2 Lebanon TIF District Fund to the General Fund.

3
4 BE IT FURTHER RESOLVED, by the City of Lebanon, that funds in the amount of \$230,450 be transferred
5 from the Downtown Lebanon TIF District Unassigned Fund Balance to the Capital Improvements Fund to
6 pay for the City's twenty percent (20%) share of additional costs for the Mechanic Street/High
7 Street/Mascoma Street Intersection Project

8
9 This resolution shall be effective January 1, 2026.

10
11 **SECONDED BY COUNCILOR SIMON. VOTE ON THE MOTION WAS 9/0.**

12
13 **B. AMEND ORDINANCE NO. 18, SALARY PLAN** – A public hearing for the purpose of
14 receiving public input and taking action to amend Ordinance No. 18, Salary Plan, to include
15 implementation of a 3.0% General Wage Increase, and to retitle, reclassify, and add positions to
16 the existing salary plan.

17
18 Included in the agenda packet: ([All supportive documents and information can be found on pages 17-28,](#)
19 [Council agenda packet](#))

20
21 Human Resources Director Lauzon briefly reviewed Ordinance #18, Salary Plan as this was the third
22 reading.

23 24 **BACKGROUND**

25 Ordinance No. 18 formally establishes the City of Lebanon's comprehensive Salary Plan, governing non-affiliated
26 employees, bargaining unit personnel, and designated classifications of municipal staff. It defines the organizational
27 framework for employee compensation by establishing salary grades, pay ranges, and the classification of all official
28 job titles within the City's workforce structure. The Salary Plan currently encompasses four collective bargaining
29 units, each governed by Collective Bargaining Agreements effective from January 1, 2025, through December 31,
30 2027, including the following:

- 31 • Lebanon Professional, Administrative, and Salaried Employees (LPASE)
- 32 • Lebanon Public Works Employee's Union, American Federation of State, County and
33 Municipal Employees, Local #1348/Council 93 AFL-CIO (AFSCME)
- 34 • Lebanon Permanent Firefighters' Association, Local 3197/International Association of Fire
35 Fighters (LPFFA/IAFF)
- 36 • Lebanon Police Benevolent Association (LPBA)/New England Police Benevolent
37 Association (NEPBA)

38 In addition, three (3) new bargaining units have been certified by the State of New Hampshire Public Employee
39 Labor Relations Board (PELRB) and are currently engaging in negotiations for their initial Collective Bargaining
40 Agreements. These are:

- 41
42 • City of Lebanon (Department Heads)
43 State of New Hampshire – Public Employee Labor Relations Board
44 Case No. G-0346-1, Decision No. 2025-155
- 45 • City of Lebanon (City Assistants, Deputies, and Others)
46 State of New Hampshire – Public Employee Labor Relations Board
47 Case No. G-0343-2, Decision No. 2025-251
- 48 • City of Lebanon (Various City Employees)
49 State of New Hampshire – Public Employee Labor Relations Board
50 Case No. G-0345-1, Decision No. 2025-157

Under the City Council/City Manager form of government, the City Manager is responsible for administering the affairs of the City, including maintenance of the City's Salary Plan and negotiation of Labor Agreements with all collective bargaining units.

Under Ordinance No. 18, compensation for exempt (salaried) and non-exempt (hourly) employees is defined by a system of steps or by minimum and maximum grade ranges—expressed as hourly rates for non-exempt employees and weekly rates for exempt employees.

Progression within these ranges is achieved through annual General Wage Increases and performance-based merit adjustments ranging from one (1) to three (3) percent, or through automatic step increases. The granting of merit or step adjustments is subject to the terms and conditions outlined in the Non-Bargaining Employee Handbook (for non-affiliated employees), or the applicable Collective Bargaining Agreement. Step or merit-based adjustments only occur provided the employee has not reached their top step or the maximum of their salary range.

To ensure the Salary Plan remains equitable and competitive with the external labor market, the City's Salary Plan must be kept current. This is achieved by regularly adjusting compensation ranges through General Wage Increases and by systematically reviewing positions with both external labor market comparisons and internal equity among positions.

The City's standard practice for determining General Wage Increases is to apply the percentage change in the Northeast Region Consumer Price Index (CPI) for June, measured over the preceding twelve months. This adjustment typically includes a minimum increase of one percent (1%) and a maximum increase of three percent (3%) and applies equally to non-affiliated employees and members of the City's collective bargaining units.

ACTION:

The City Council was asked to take action to amend Ordinance No. 18, as follows:

1. General Wage Increase – 2026

The Northeast Region Consumer Price Index (CPI) increased by 3% between June 2024 and June 2025. Accordingly, the City Council was requested to implement a 3% General Wage Increase for all employees, as part of the 2026 City of Lebanon Budget. This adjustment would take effect as of the first pay period of 2026.

2. Amend Article II – Non-Affiliated and LPASE Employees:

Section A – Regular Full-Time and Part-Time Benefit Eligible Positions

- I.** Integrate newly certified positions and the associated denotations of the following Bargaining Units:
 - a. City of Lebanon (Department Heads)
State of New Hampshire – Public Employee Labor Relations Board Case No. G-0346-1, Decision No. 2025-155
 - b. City of Lebanon (City Assistants, Deputies, and Others)
 - c. State of New Hampshire – Public Employee Labor Relations Board Case No. G-0343-2, Decision No. 2025-251 City of Lebanon (Various City Employees)
State of New Hampshire – Public Employee Labor Relations Board Case No. G-0345-1, Decision No. 2025-157
- II.** Integrate denotation of italicized text to all non-affiliated positions to include:
 - a. General Intern
 - b. Deputy Finance Director
 - c. Deputy Human Resources Director
 - d. Human Resources Specialist
 - e. Human Resources Director

- f. Technical Advisor II
- g. Finance Director
- h. Deputy City Manager

III. Relocate the Grade 7 position of Communications Specialist to Article III, Bargaining Unit Employees, Section C – Lebanon Police Benevolent Association (LPBA)/New England Police Benevolent Association (NEPBA).

IV. Retitle and reclassify the non-exempt, Assistant Human Services Director, currently located in Grade 7, to Grade 9, and retitle to Deputy Human Services Director, with an exempt classification.

V. Reclassify the non-exempt Deputy City Clerk/Tax Collector from Grade 8 to Grade 9, with an exempt classification.

As part of an effort to combine the current separate roles of Deputy City Clerk and Deputy Tax Collector positions into a dual role, the Deputy City Clerk/Tax Collector position's job description has been revised and regraded.

VI. Add the non-exempt position of Lead Assistant City Clerk to Grade 8, with a proposed affiliation of LPASE

The creation of the Lead Assistant City Clerk position is part of an organizational restructuring within the City Clerk/Tax Collection Department. Currently, overlapping supervisory responsibilities exist within the department. The restructured model consolidates supervision, streamline operations, and enhances training for the Deputy City Clerk/Tax Collector. This role will oversee counter operations to ensure consistent customer service delivery and provide daily support to department leadership. The Lead Assistant City Clerk position also establishes a clear advancement opportunity for existing staff, supporting both professional development and employee retention.

VII. Retitle the Grade 8, LPASE-affiliated position of Field Inspector to Building Official & Health Officer I.

VIII. Retitle the Grade 9, LPASE-affiliated position of Code Health Inspector to Building Official & Health Officer II.

IX. Add an LPASE designation to the following positions:

- a. System Administrator – Grade 11
- b. Prosecuting Attorney – Grade 12
- c. Cyber Security Analyst – Grade 13
- d. Systems and Operations Administrator – Grade 13

3. Amend Article II – Section B – Seasonal/Temporary & Stipend Employees

I. Add the non-exempt position of Assistant Moderator to "Election Positions."

The Assistant Moderator position will provide additional Election Day support, focusing on absentee ballot processing and supervision of Ballot Clerks. Currently, Moderators often manage these duties alone, as Ward Clerks are occupied assisting voters. Establishing the Assistant Moderator position will streamline Election Day operations, ensure timely absentee ballot processing, and strengthen overall election management.

II. Implement a wage adjustment, beyond the 3% GWI, to the Outdoor Educator position, located

within Recreation, Arts & Parks positions, to attract and retain qualified personnel.

III. Retitle Asst. Pool Director, within Recreation, Arts & Parks positions, to Assistant Pool Director.

IV. Remove Asterix (*) from Communications Specialists, within Police Department Positions.

V. Remove Asterix (*) from Assistant City Clerks, within City Clerk Positions.

4. Amend Article III – Section A – AFSCME Local #1348/Council 93 AFL-CIO

As a part of Strategic Objective 1.2, High Performing Government, in the City of Lebanon's 2026-2029 Strategic Plan (KPI - 1.2.1: Attract, retain, engage, develop a diverse competitive workforce), the Human Resources Department completed a Wage Classification Study for Lebanon Public Works Employees' Union, AFSCME Local #1348/Council 93 AFL-CIO. The study, aimed at reaching the 60th percentile of the market by 2026, has now been completed. As a result, the following reclassifications are proposed:

I. Retitle Section to Lebanon Public Works Employees' Union, AFSCME Local #1348, Council 93 AFL-CIO throughout.

II. Reclassify the Grade 3 position of Recycling Attendant to Grade 4.

III. Reclassify the Grade 3 Scale Technician to Grade 4.

IV. Reclassify the Grade 5 position of Maintainer (Cemetery Crew Leader) to Grade 6.

V. Reclassify the Grade 6 position of Water Treatment Plant Operator to Grade 7.

VI. Reclassify the Grade 6 position of Wastewater Treatment Plant Operator to Grade 7.

VII. Reclassify the Grade 7 position of Engineering Technician to Grade 8.

5. Amend Article III – Section C – Lebanon Police Benevolent Association (LPBA)/New England Police Benevolent Association (NEPBA)

I. Add Communications Specialist position to Bargaining Unit.

The tables below reflect all changes (as shown in **red** text), to include the addition of new positions, changes in position titles and/or classification, as well as the 3% General Wage Increase. These changes would be effective as of the first pay period of 2026.

REGULAR FULL-TIME/REGULAR PART-TIME NON-AFFILIATED, LPASE & NEWLY CERTIFIED BARGAINING UNIT EMPLOYEES 2026 SALARY & GRADES TO INCLUDE 3% GWI					
Grade	Position Title	Hourly		Weekly	
		Minimum	Maximum	Minimum	Maximum
1	<i>General Intern</i>	\$19.29	\$28.19	-	-
2	Custodian □	\$21.67	\$29.26	-	-
	Department Secretary □	-	-	-	-
3	Airport Maintenance Worker □	\$22.99	\$31.02	-	-
	Custodian I □	-	-	-	-
	Accounting Clerk □	-	-	-	-
4	Youth Services Library Assistant □	\$24.35	\$32.87	-	-
	Technical Services Library Assistant □				
	Custodial Supervisor □				
	Facilities Maintenance Specialist □	-	-	-	-
5		\$25.80	\$34.86	-	-
6		\$27.34	\$37.33	-	-

7	Administrative Secretary □	\$29.00	\$41.02	-	-
	Assessing Clerk □	-	-	-	-
	Assistant City Clerk □	-	-	-	-
	Assistant Human Services Director	-	-	-	-
	Communications Specialist	-	-	-	-
	Library Administrative/Technical Assistant □	-	-	-	-
8	Accounting Clerk III □	\$31.90	\$43.05	-	-
	Administrative Assistant □	-	-	-	-
	Benefits Specialist □	-	-	-	-
	Payroll Specialist □	-	-	-	-
	Police Communications Assistant Supervisor*				
	Deputy City Clerk ‡	-	-	-	-
	Deputy Tax Collector ‡	-	-	-	-
	Deputy City Clerk/Deputy Tax Collector	-	-	-	-
	Field Inspector*				
	Building Official & Health Officer I*	-	-	-	-
	Electrical Inspector*	-	-	-	-
	Lead Assistant City Clerk* (New)				
	Utility Billing Clerk □	-	-	-	-
	Outreach Librarian □	-	-	\$1,275.88	\$1,722.38
	Children's Librarian □	-	-	-	-
9	Code Health Inspector*				
	Building Official & Health Officer II*	\$35.08	\$47.37	-	-
	Executive Assistant □	-	-	-	-
	Public Relations Coordinator □	-	-	-	-
	Digital Media Officer □	-	-	-	-

1

	Deputy Assessor ‡	-	-	-	-
	Cyber Services Technical Specialist □	-	-	-	-
	Real Estate Appraiser II*	-	-	-	-
	Solid Waste Supervisor*				
	Cemetery Supervisor*	-	-	-	-
	Associate Planner*	-	-	\$1,403.45	\$1,894.92
	Deputy City Clerk/Deputy Tax Collector ‡				
	Deputy Human Services Director ‡				
10	Asset Manager*	\$38.64	\$52.15		-
	Assistant City Engineer*			-	-
	Financial Analyst □	-	-	-	-
	Community Nurse □	-	-	-	-
	Police Communications Supervisor ‡	-	-	-	-
	Recreation Program Coordinator*	-	-	\$1,545.61	\$2,086.13
	Youth Services Librarian □	-	-	-	-
11	Technical Advisor I □	\$40.95	\$55.27	-	-
	Cemetery Sexton*	-	-	-	-
	Fleet Maintenance Supervisor*	-	-	-	-
	Maintenance Superintendent*	-	-	-	-
	Utilities Maintenance Superintendent*	-	-	-	-
	System Administrator*	-	-	-	-

	Airport Operations Supervisor*	-	-	\$1,638.07	\$2,210.82
	Assistant Recreation Director*	-	-	-	-
	Code Enforcement Director*	-	-	-	-
	Director of Public Engagement and Communications †				
	Fire Marshall*	-	-	-	-
	Planner/GIS Coordinator*	-	-	-	-
	Senior Planner*	-	-	-	-
	Systems Librarian □	-	-	-	-
	Information Technology Librarian □	-	-	-	-
12	Wastewater Treatment Superintendent*	\$43.40	\$58.60	-	-
	Water Treatment Superintendent*	-	-	-	-
	Administrative Services Manager*	-	-	\$1,735.99	\$2,343.55
	City Assessor*	-	-	-	-
	City Engineer*	-	-	-	-
	City Planner*	-	-	-	-
	Deputy Library Director †	-	-	-	-
	Energy & Facilities Manager*	-	-	-	-
	Police Lieutenant*	-	-	-	-
	Prosecuting Attorney*	-	-	-	-
	Solid Waste Manager □	-	-	-	-
13	Chief Innovation and AI Officer †	-	-	\$1,840.17	\$2,484.24
	City Clerk/Tax Collector †				
	Cyber Security Analyst*	-	-	-	-
	Deputy Finance Director	-	-	-	-
	Deputy Human Resources Director	-	-	-	-
	Human Services Director †				

1

	Information Systems Manager*	-	-	-	-
	Maintenance Manager †	-	-	-	-
	Police Captain*	-	-	-	-
	Deputy Planning and Development Director †	-	-	-	-
	Systems and Operations Administrator*	-	-	-	-
	Chief Building Official & Health Officer †				
14	Human Resources Specialist	\$48.77	\$65.84	-	-
	Airport Manager †	-	-	\$1,950.68	\$2,633.21
	Assistant Director/Public Works †	-	-	-	-
	Chief Assessor †	-	-	-	-
	Human Resources Director	-	-	-	-
	Library Director †	-	-	-	-
	Lead Network Infrastructure Engineer †	-	-	-	-
	Recreation, Arts & Parks Director †	-	-	-	-
15	Deputy Police Chief †	-	-	\$2,191.47	\$2,791.02
	Deputy Fire Chief †				
16	Technical Advisor II	\$60.02	\$75.95	-	-
	Chief of Police †	-	-	\$2,400.51	\$3,038.04
	Planning and Development Director †	-	-	-	-
	Public Works Director †	-	-	-	-

	<i>Finance Director</i>	-	-	-	-
	Fire Chief †	-	-	-	-
	Cyber Services Director †	-	-	-	-
	<i>Deputy City Manager</i>	-	-	-	-

Italicized positions denote Non-Affiliated employees, for which the January 1, 2026, GWI shall be based on the Northeast Region CPI for June 2024 – June 2025, but in no case shall be less than one percent (1%), nor greater than three percent (3%).

* Denotes LPASE employees for which the January 1, 2026, GWI shall be based on the Northeast Region CPI for June 2024 – June 2025, but in no case shall be less than one percent (1%), nor greater than three percent (3%).

† Denotes City of Lebanon (Department Heads) – State of New Hampshire, Public Employee Labor Relations Board (PELRB) – Case No. G-0346-1, Decision No. 2025-155 employees, for which the January 1, 2026, GWI shall be based on the Northeast Region CPI for June 2024 – June 2025, but in no case shall be less than one percent (1%), nor greater than three percent (3%).

‡ Denotes City of Lebanon (City Assistants, Deputies, and Others) – State of New Hampshire – Public Employee Labor Relations Board (PELRB) – Case No. G-0343-2, Decision No. 2025-251 employees, for which the January 1, 2026, GWI shall be based on the Northeast Region CPI for June 2024 – June 2025, but in no case shall be less than one percent (1%), nor greater than three percent (3%).

□ Denotes City of Lebanon (Various City Employees) – State of New Hampshire, Public Employee Labor Relations Board (PELRB) - Case No. G-0345-1, Decision No. 2025-157 employees, for which the January 1, 2026, GWI shall be based on the Northeast Region CPI for June 2024 – June 2025, but in no case shall be less than one percent (1%), **nor greater than three percent (3%).**

B. Seasonal/Temporary & Stipend Employees

POSITION TITLE	HOURLY	
ELECTION POSITIONS (HOURLY)		
Assistant Moderator (New)		\$29.00
Ballot Clerk	-	\$21.22

Election Assistant	-	\$16.58
Moderator	-	\$31.83
Ward Clerk	-	\$28.64
Chair Supervisor of the Checklist	-	\$28.64
Supervisor of the Checklist	-	\$26.52
FIRE DEPARTMENT POSITIONS		
Call Firefighter	\$13.33	\$33.79
RECREATION, ARTS & PARKS POSITIONS		
Front Desk Attendants – Pool	\$12.01	\$18.06
Lifeguards	\$12.01	\$20.72
Head/Lead Counselors	\$15.64	\$19.22
Head & WSI Lifeguards	\$14.42	\$21.61
Head Front Desk Attendant - Pool	\$14.42	\$18.04
Outdoor Adventurer - Educator	\$22.00	\$28.00
Day Camp Counselors	\$12.01	\$18.06
Arts & Craft Director	\$15.64	\$20.13
Farmers Market Coordinator	\$16.83	\$21.63

Market Assistant	\$14.42	\$18.04
Tennis Instructor	\$18.04	\$22.84
Stomp & Romp	\$18.04	\$22.84
Pool Operations Manager	\$18.04	\$24.85
Assistant Pool Director	\$18.04	\$24.85
Assistant Camp Director	\$18.04	\$24.85
Pool Director	\$19.22	\$28.41
Camp Director	\$19.22	\$28.41
RECREATION, ARTS & PARKS STIPEND POSITIONS:		
Sport Coaches – Seasonally (Lacrosse, Track, Youth – Basketball, Field Hockey, Football, Cheerleader Coach etc. – may vary due to Programs)	\$242.67	\$846.39
Softball Coordinator - Stipend	\$2,101.64	\$2,691.29
LIBRARY POSITIONS		
Library Clerk I	\$19.29	\$28.19
Library Custodian Substitutes	\$21.67	\$29.26
Library Clerk II	\$22.99	\$31.02
PUBLIC WORKS POSITIONS		
Engineering Clerk	\$13.23	\$16.83
GIS Clerk – (or Intern)	\$18.04	\$20.44
Seasonal Laborers – Summer & Fall DPW, Parks & Rec.& Airport	\$19.22	\$24.30
Tree Warden	\$24.40	\$27.58
CDL Seasonal Drivers	\$27.00	\$59.18
PLANNING POSITIONS		
Park Ranger	\$18.04	\$20.44
POLICE DEPARTMENT POSITIONS		
Crossing Guard		\$19.57
*Communications Specialist	\$29.00	\$41.02

1

Police Administrative Aide	\$24.04	\$27.63
Parking Control Officer	\$24.04	\$27.63
Police Officers	\$31.13	\$41.14
CITY CLERK POSITIONS		
*Assistant City Clerks (Part-Time/Temp. <20)	\$29.00	\$41.02
Lead Recording Secretary	\$27.01	\$32.87
Recording Secretary	\$25.83	\$28.23
Recording Secretary Coordinator	\$27.01	\$28.85
SHARED POSITION		
General Intern I	\$15.64	\$19.83

2

3 **A. LEBANON PUBLIC WORKS EMPLOYEES' UNION, AFSCME LOCAL #1348/COUNCIL 93 AFL-CIO**

4 Employees covered by the terms and conditions of the Collective Bargaining Agreement between the City and
5 **Lebanon Public Works Employees' Union**, AFSCME (American Federation of State, County and Municipal
6 Employees) Local #1348/Council 93 AFL-CIO, (effective January 1, 2025 to December 31, 2027) shall be paid in
7 accordance with the accompanying pay plan covering the time period of the first pay period of 2026, through the last

pay period of 2026, as provided in that Agreement, and as placed on file in the office of the City Clerk.

LEBANON PUBLIC WORKS EMPLOYEES' UNION – AFSCME - POSITIONS	
GRADE	POSITION(s)
1	Laborer
2	Utility Operator Trainee
3	Operator; Recycling Attendant ; Construction Utility Operator I; Meter/Backflow Technician; Scale Technician
4	Light Equipment Operator; Airport Maintenance Technician; Recycling Attendant ; Scale Technician
5	Heavy Equipment Operator; Utilities Operator I; Airport Maintenance Specialist; Maintainer (Cemetery Crew Leader) ; Utilities Operator I;
6	Maintainer (Cemetery Crew Leader) ; Mechanic; Water Treatment Plant Operator ; Wastewater Treatment Plant Operator ;
7	Laboratory Technician/ Utilities Plant Operator; Airport Maintenance Supervisor; Utilities Maintenance Mechanic; Engineering Technician ; Public Works Crew Leader; Water Treatment Plant Operator ; Wastewater Treatment Plant Operator
8	Supervisor; Parks & Grounds Crew Supervisor; Engineering Technician
9	Chief of Quality Assurance, Electrician

LEBANON PUBLIC WORKS EMPLOYEES' UNION, AFSCME LOCAL 1348							
2026 SALARY GRADES							
3% GWI							
	<u>Minimum</u>						<u>Maximum</u>
<u>Grade</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>
1	\$21.18	\$21.77	\$22.40	\$23.04	\$23.63	\$24.36	\$25.11
2	\$22.85	\$23.50	\$24.18	\$24.84	\$25.50	\$26.29	\$27.11
3	\$24.67	\$25.41	\$26.15	\$26.85	\$27.62	\$28.49	\$29.37
4	\$26.64	\$27.47	\$28.25	\$29.07	\$29.92	\$30.84	\$31.81
5	\$28.87	\$29.74	\$30.62	\$31.50	\$32.42	\$33.43	\$34.46
6	\$31.25	\$32.19	\$33.23	\$34.25	\$35.29	\$36.34	\$37.33
7	\$33.87	\$34.93	\$36.03	\$37.13	\$38.24	\$39.39	\$40.45
8	\$35.57	\$36.69	\$37.85	\$39.02	\$40.27	\$41.50	\$43.12
9	\$38.61	\$39.83	\$41.13	\$42.42	\$43.72	\$45.02	\$46.88

The January 1, 2026, GWI shall be based on the Northeast Region CPI, for June 2024 – June 2025, but in no case shall be less than one percent (1%) nor greater than three percent (3%).

B. LEBANON PERMANENT FIREFIGHTERS' ASSOCIATION LOCAL 3197 / INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF)

Employees covered by the terms and conditions of the Collective Bargaining Agreement between the City and Lebanon Permanent Firefighters' Association Local 3197/International Association of Fire Fighters (IAFF), (effective January 1, 2025 to December 31, 2027), shall be paid in accordance with the accompanying pay plan covering the time period of the first pay period of 2026, through the last pay period of 2026, as provided in that Agreement, and as placed on file in the office of the City Clerk.

LEBANON PERMANENT FIREFIGHTERS/IAFF 2026 SALARY GRADES 3% GWI							
	Minimum						Maximum
Position Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Firefighter - EMT	\$27.38	\$28.26	\$29.13	\$30.05	\$30.90	\$31.79	\$32.76
Firefighter - Paramedic	\$31.01	\$31.94	\$32.93	\$33.84	\$34.75	\$35.71	\$36.70
Fire Alarm Technician	\$38.13	\$38.92	\$39.72	\$40.47	\$41.27	\$42.02	\$42.79
Lieutenant	\$36.86	\$37.37	\$37.89	\$38.43	\$38.94	\$39.45	\$39.97
Fire Inspector	\$38.43	\$39.04	\$39.71	\$40.32	\$40.98	\$41.61	\$42.30
Lieutenant - Paramedic	\$40.04	\$40.57	\$41.09	\$41.61	\$42.17	\$42.66	\$43.21
Captain	\$44.82	\$45.27	\$45.80	\$46.28	\$46.76	\$47.28	\$47.75
Inspector - Paramedic	\$39.81	\$40.42	\$41.02	\$41.66	\$42.27	\$42.87	\$43.56
Captain - Paramedic	\$45.97	\$46.45	\$46.92	\$47.40	\$47.90	\$48.36	\$48.90

The January 1, 2026, GWI shall be based on the Northeast Region CPI, for June 2024 – June 2025, but in no case shall be less than one percent (1%) nor greater than three percent (3%).

C. LEBANON POLICE BENEVOLENT ASSOCIATION (LPBA)/NEW ENGLAND POLICE BENEVOLENT ASSOCIATION (NEPBA)

Employees covered by the terms and conditions of the Collective Bargaining Agreement between the City of Lebanon and the Lebanon Police Benevolent Association (LPBA)/New England Police Benevolent Association (NEPBA), (effective January 1, 2025 to December 31, 2027), shall be paid in accordance with the accompanying pay plan covering the time period of the first pay period of 2026, through the last pay period of 2026, as provided in that Agreement, and as placed on file in the office of the City Clerk.

LEBANON POLICE BENEVOLENT ASSOCIATION 2026 SALARY GRADES 3% GWI							
	Minimum						Maximum
Position Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Patrol Officer	\$31.13	\$32.94	\$34.07	\$35.76	\$37.55	\$39.46	\$41.14
Corporal	\$42.33	-	-	-	-	-	-
Sergeant	\$42.33	\$43.22	\$44.32	\$45.46	\$46.57	\$47.68	\$48.84
	Minimum	Hourly Range					Maximum
Communications Specialist	\$29.00						\$41.02

The January 1, 2026, GWI shall be based on the Northeast Region CPI, for June 2024 – June 2025, but in no case shall be less than one percent (1%) nor greater than three percent (3%).

Amendment Process

Amending Ordinance #18 requires three separate presentations (see City Charter subsections §3.07, §3.09, §3.10, §8.03), followed by a Public Hearing, and the vote of at least two-thirds (2/3)

1 of all members of the City Council - six (6) members - to adopt.

2
3 The Council was asked to recognize the third of three presentations. The first presentation was on
4 November 19, 2025 and the second presentation was on December 3, 2025.

5
6 **Mayor Whittlesey opened this up to the Public and the following came forth to give their testimony**

- 7 • **Steve Perlowski (Ward-2):** He wanted to know what the Council was doing to focus on want vs. need
8 and spoke about the lights on Town Hall.
- 9 • **Robert Moses (Ward-3):** He spoke about wanting to know what the cost was for the City for (employee)
10 grade improvements and heard that the City pays 85% of the cost for health insurance.
11

12 **Hearing no further comments from the public, the public input session was closed.**

13
14 **Council/Staff Discussion:**

15 Mayor Whittlesey noted that in terms of the Opera House question from Mr. Perlowski, lights are actually
16 paid for by the Opera House. Deputy City Manager Brooks reiterated that the lighting on the Opera House
17 Building/City Hall was paid 100% by the Opera House through fundraising campaigns, grants and
18 donations. No taxpayer dollars were used.
19

20 Human Resources Director Lauzon also addressed Mr. Moses' question regarding the actual costs
21 expected to impact the changes in the Salary Plan, noting that the cost to the General Fund is just over
22 \$35K. She wanted to be clear that these are estimated based on when/if we use these positions. They were
23 already built into the budget at the 2% increase and reductions were made at this meeting. In relation to
24 solid waste, it comes to about \$15K, and one of those positions is vacant and is not proposed to be filled.
25 The water fund is just under \$9,500. When we are talking about the General Fund, those are taxpayer
26 dollars and solid wastewater/water salaries are paid for by user fees.
27

28 **Council/Staff Discussions:**

29 Assistant Mayor Wilkie spoke about the healthcare contributions noting that it is important that we are
30 aware of this need and questioned whether or not we are informed from other communities on what they
31 are providing (for their employees). If not, is that something that the City could pursue in the coming
32 year? Human Resources Director Lauzon said that research has been done in recent years but was not
33 done this year, noting that right now the City does contribute 85% (for staff health insurance). The last
34 time that the City polled other communities we were in line with what other communities are contributing
35 towards their health insurance premiums. We are locked into those percentages while we remain under
36 contract with the unions.
37

38 Councilor Sykes noted it is hard to draw strong conclusions from a 10% vs. 12% retention rate but it is
39 important to note that we should be very interested in retention rate numbers because it always costs more
40 to train someone else to replace somebody. He urged the City Manager to see if we can get more
41 information about that (retention rate).
42

43 **ACTION:**

44
45 **1. ACKNOWLEDGE THIRD PRESENTATION:**

46
47 *Councilor Stavis MOVED, that the Lebanon City Council hereby acknowledges the third of three*
48 *presentations to amend Ordinance #18, Salary Plan, as fully described and contained in the December*
49 *17, 2025, City Council Agenda Packet.*
50

51 **2. RESOLUTION:**

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

2
3 ***NOW THEREFORE BE IT RESOLVED that the Lebanon City Council hereby amends Ordinance #18***
4 ***to implement a 3% General Wage Increase for 2026 for all City employees; and to implement all other***
5 ***changes as fully outlined and described in the December 17, 2025 City Council Agenda Packet, effective***
6 ***the first pay period of 2026.***

7 ***Seconded by Councilor McNamara***

8 ****The Vote on the MOTION was 9/0***

9
10 **7. OLD BUSINESS: NONE**

11
12 **8. NEW BUSINESS**

- 13 **A.** Authorization for the City Manager to Transfer Appropriated, Unencumbered FY2025 General
14 Funds **RESOLUTION #R-2025-7**

15
16 Included in the agenda packet: [\(All supportive documents and information can be found on pages 29-](#)
17 [3030, Council agenda packet\)](#)

- 18 1. Draft Resolution Authorizing the Transfer of Appropriations

19
20 Deputy City Manager Brooks reviewed the background.

21
22 **BACKGROUND**

23 The City Council appropriates a budget on an annual basis. The FY2025 Budget was approved and
24 appropriated on December 18, 2024. The Council may authorize the City Manager to transfer funds from
25 one department to another within the City's General Fund pursuant to the provisions in City Charter §6.10,
26 Transfer of Appropriations.

27
28 The City Manager proposes utilizing appropriated, but unencumbered General Funds from the current
29 fiscal year (FY2025) to supplement the Public Assistance Revolving Fund in light of recent and ongoing
30 changes in state and federal funding of welfare and human services. The Public Assistance Revolving
31 Fund was created in 2022 to provide general assistance for housing and emergency shelter, food, fuel,
32 utilities, and other necessities of the public welfare function. As a reminder, pursuant to NH RSA 165, Aid
33 to Assisted Persons, the municipality has a statutory obligation to provide general assistance to "relieve
34 and maintain" any person who is poor and unable to support themselves.

35
36 Given the uncertainty of what is happening with State/Federal funding, welfare and other Human Service
37 programs, the City Manager is requesting and recommending that the City utilize some of the
38 unincumbered funds from this year's budget and place them into the Public Assistance Revolving Fund so
39 that they are available for the same purpose they were originally appropriated and they would not lapse by
40 being placed in the Public Assistance revolving fund. The recommendation is to utilize \$25K of the
41 surplus for that purpose.

42
43 The City Manager intends to make budget rescissions to ensure the overall budget does not exceed the
44 total appropriations in the City's General Fund Budget for Fiscal Year 2025.

45
46 **Mayor Whittlesey opened this topic for public comment. Hearing none, the public comment session**
47 **was closed.**

48
49 **ACTION:**

Councilor McNamara MOVED, that the Lebanon City Council, pursuant to City Charter §6.10, Transfer of Appropriations, hereby approves the Resolution for the Authorization to Transfer Fiscal Year 2025 General Fund Appropriations, as provided in the following table and as presented in the December 17, 2025 City Council Agenda Packet (Chart on page 29 of 30 of the City Council’s agenda packet):

Transfer of Appropriated, but Unencumbered, FY 2025 General Funds Pursuant to City Charter §6.10	
From:	Up To Amount:
Human Services Department	\$25,000
Total:	\$25,000
To:	
Public Assistance Revolving Fund	\$25,000
Total:	\$25,000

Seconded by Councilor N. Ford Burley.

***The Vote on the Motion was approved (9-0)**

Resolution #R-2025-7 – Lebanon City Council

Title: Authorization to Transfer FY2025 General Fund Appropriations

BE IT HEREBY RESOLVED by the Lebanon City Council, that:

WHEREAS, the City Council appropriates funds in December of each year for the ensuing fiscal year, and City Charter §6.10, Transfer of Appropriations, provides that the Council may authorize the City Manager to transfer any unencumbered appropriation, or a portion thereof, from one department to another; and

WHEREAS, the City has a statutory obligation pursuant to NH RSA 165, Aid to Assisted Persons, to provide general assistance to “relieve and maintain” any person who is poor and unable to support themselves at the expense of the town or city of residence [RSA 165:1-a]; and

WHEREAS, the Public Assistance Revolving Fund was created in 2022 to provide general assistance for housing and emergency shelter, food, fuel, utilities, and other necessities of the public welfare function;

NOW, THEREFORE, the Lebanon City Council hereby authorizes the City Manager to transfer unencumbered appropriations in the FY2025 General Fund Budget in the amount of up to \$25,000 as indicated in the following table:

Transfer of Appropriated, but Unencumbered, FY 2025 General Funds Pursuant to City Charter §6.10	
From:	Up To Amount:
Human Services Department	\$25,000
Total:	\$25,000
To:	

Public Assistance Revolving Fund	\$25,000
Total:	\$25,000

BE IT FURTHER RESOLVED that this Resolution be written upon the minutes of the Lebanon City Council meeting of December 17, 2025.

9. ADJOURNMENT:

Councilor N. Ford Burley MOVED for adjournment.

Seconded by Councilor Simon.

**The Vote on the MOTION was unanimously approved (9-0)*

The meeting was adjourned at 9:55 PM.

Respectfully submitted,

Dona E. Gibson

Recording Secretary

DRAFT

**LEBANON CITY COUNCIL
SPECIAL MEETING MINUTES
Thursday, December 18, 2025, 6:00 p.m.
Council Chambers**

Remote Via Microsoft Teams: LebanonNH.gov/Live

MEMBERS PRESENT: Mayor Douglas Whittlesey, Assistant Mayor Devin Wilkie, Erling Heistad, Nicole Ford Burley, Timothy McNamara, Laurel Stavis, Christian Simon, George Sykes, and Karen Zook

MEMBERS ABSENT:

STAFF PRESENT: City Manager Andrew Hosmer, Deputy City Manager David Brooks, Finance Director Alesia Williams, Deputy Finance Director Victoria Paquin

1. CALL TO ORDER: Mayor Whittlesey called the meeting to order at 6:00 p.m.

- City Manager Andrew Hosmer announced the meeting criteria for attendees.

2. PUBLIC HEARING ITEMS:

A. Citizens Binding Initiative Petition to Establish a Finance Advisory Committee – Public Hearing for the purpose of receiving public input and taking action on a Citizens Binding Initiative Petition seeking to amend City Code Chapter 31, Boards, Committees and Commissions, to establish a Finance Advisory Committee.

Included in the agenda packet: [\(All supportive documents and information, as listed below, can be found on pages 2-11, Council agenda packet\)](#)

1. Final Language of Citizens Binding Initiative Petition question and brief explanation
2. November 25, 2025 City Clerk Certification of Petition Sufficiency
3. Proposed Ordinance #2025-15
4. City Charter Section 7.01 - Citizen Binding Initiative
5. City Code Chapter 89 - Initiative Petitions

Deputy City Manager Brooks reviewed the background behind establishing a proposed Finance Advisory Committee.

BACKGROUND

On October 2, 2025, the City received a Citizens Binding Initiative Petition in accordance with Section 7.01 of the City Charter from the Petition Committee Chairperson. The Citizens Binding Initiative Petition seeks to amend City Code Chapter 31, Boards, Committees and Commissions, to establish a Finance Advisory Committee.

On November 25, 2025, in accordance with City Code §89-8.A, the City Clerk verified that the requisite number of signatures of registered voters had been obtained on the petition and certified the petition as sufficient to comply with the provisions of City Charter §7.01. Pursuant to City Code §89-10.A, the Clerk's certification was presented to the City Council on December 3rd, at which meeting the Council scheduled the current public hearing.

1 If, following the public hearing, the City Council decides to pass the Citizens Binding Initiative Petition
2 without alteration, such action will have the effect of adopting Ordinance #2025-15, as proposed and
3 included in this agenda packet.

4 If, following the public hearing, the City Council decides not to pass the Citizens Binding Initiative
5 Petition as presented, or takes no action whatsoever, then the City Council shall cause the original, certified
6 Citizens Binding Initiative Petition question and the brief explanation or synopsis to be placed on the ballot
7 at the next municipal election on March 10, 2026 [§89-11].

8 Mayor Whittlesey clarified the Council looked into this because there was a disconnect between our City
9 Ordinance around this and the City Charter. The City Code allows for non-substantial changes but does
10 not define what substantial is. Per the Charter, it has to be without any alteration and any alteration to it
11 pushes to a vote on the ballot.

12
13 Mayor Whittlesey also noted he thought there were a couple of things that would need to be amended
14 after the vote. They were generally insubstantial and generally the petitioner's committee was in
15 agreement. 1) The language around membership needs to be revised because the appointments for citizen
16 representatives would be by Council to say that they would be appointed by the Mayor for 1-year terms.
17 2) A cleanup around adding language around alternates. We would want to add two (2) citizen alternates.

18
19 Councilor McNamara questioned if what was in the packet would go on the ballot. Deputy City Manager
20 Brooks noted that modifications cannot be made until the language takes effect. As proposed by the
21 Petition Committee, it would be effective sometime after July 1, 2026 and the Council would be able to
22 amend this section further.

23
24 Assistant Mayor Wilkie wanted to make sure that everybody has a similar understanding for 3164.a: Four
25 (4) citizen members and three (3) City Council representatives shall serve staggered two year- terms
26 meaning that two (2) citizen members would be appointed for 1-year terms, and the other two would be
27 appointed for two (2) year terms and further inferred how this would work.

28
29 **Mayor Whittlesey opened the Public Hearing. And the following came forth to give their**
30 **comments:**

- 31 • **Ralph Akins (Ward-2):** He spoke about his reasons why he felt the Council should adopt the
32 Citizens Binding Initiative Petition to Establish a Finance Advisory Committee tonight so
33 planning projects can be started.
- 34 • **Joan Townsend (Ward-2):** She spoke about her reasons why she felt the Council should adopt
35 the Citizens Binding Initiative Petition to Establish a Finance Advisory Committee, so we can
36 work as a team to move Lebanon forward in a positive way.
- 37 • **Rebecca Kattamis (Ward-2):** She spoke about her reasons why she felt the Citizens Binding
38 Initiative Petition to Establish a Finance Advisory Committee should be adopted and urged the
39 Council's full support.

40
41 **Hearing no further comments from the public, the Public Hearing was closed.**

42
43 **Council/Staff Comments:**

44 The Council held discussions on why adopting the Citizens Binding Initiative Petition to Establish a
45 Finance Advisory Committee is a good idea; whether or not this Citizens Binding Initiative Petition
46 should go before the voters or be adopted by the Council tonight; concerns about adding more

bureaucracy to the City's government, especially if constrained by the government process; taking advantage of the opportunity to improve what the City is doing; how, when we hear something from the public that they feel strongly about, and that we also agree with, it makes sense to adopt this petition without sending this to the public; how some residents have urged the Council not to pass this petition; concerns about membership appointments and the need for representation from across all areas of the City; how the membership appointment process worked for the DEI (Diversity, Equity, and Inclusion) Committee when it first started up; the process for interviewing candidates for membership appointments to Boards, Committees, and Commissions; and whether or not the Citizens Binding Initiative Petition Committee would attend the City's Budget Workshops as part of the Council's regular process..

Councilor Stavis wanted to make it clear what the RSA says and to keep this in mind when establishing the Citizens Binding Initiative Petition for the Finance Advisory Committee. She read the following to the Council: "Such duties and powers as a municipality or SAU that sees fit: That no such Committee's recommendation shall have any limiting effect on appropriations." She wanted to make sure that "as it sees fit" factors into the process going forward.

The Council continued discussions regarding staff costs, time, commitments; how it might be better for the Citizens Binding Initiative Petition Advisory Committee to have their own meetings; how there should be a pathway on how to do this without having to run two parallel budget processes; how membership should involve people with experience in budgeting, financing and accounting, etc.; what would be the best way to collect/brainstorm input ideas to make sure that those questions (for potential candidates) are formulated so that all the information people need is collected.

Mayor Whittlesey noted that after July 21, 2026 (expected start date for the Citizens Binding Initiative Petition Advisory Committee), his recommendation would be that at their first meeting they can establish the membership selection process, set meetings dates, develop their agendas, etc. He suggested mimicking some of the other Board/Committee/Commission membership questions and then defining further what this committee would be looking for and further explained his reasoning. Once the Citizens Binding Initiative Petition Advisory Committee have formulated their ideas they can bring them back to a Council meeting in February for the Council's review.

Councilor Simon would also like the Council to sample some of the Petitioners' ideas as they may have additional questions that may be important to the work they will be doing.

Mayor Whittlesey spoke about his reasons why he felt this item should be accepted tonight as is and not sent to the voters. He did not think the regular City Council meetings were the right venue for The Citizens Binding Initiative Petition Advisory Committee. He felt the best approach could be through the Governance Committee. It would still be done in an open session. Having a formal structure in a committee just makes sense. Probably, the first few months, a lot of stuff may be wrong, but we can learn and adjust. There is a lot of flexibility for us to really make what we in the City need.

ACTION:

Councilor McNamara MOVED, that the Lebanon City Council hereby passes, without alteration, the Citizens Binding Initiative Petition seeking to amend City Code Chapter 31, Boards, Committees and Commission, to establish a Finance Advisory Committee, as reflected in proposed Ordinance #2025-15,

1 *as presented in the December 18, 2025 City Council Agenda Packet. The Ordinance shall become*
2 *effective as of July 1, 2026.*

3 *Seconded by Simon.*

4 **The Vote on the Motion was approved (9-0).*

6 **3. NEW BUSINESS**

7 **A.** Discussion and Set Public Hearing for January 7, 2026: Consideration of City Clerk's
8 Certification
9 of Petition Sufficiency for NH RSA 49-B:5 Petitioned Amendment to City Charter to
10 Establish a
11 Tax Cap.

12
13 Included in the agenda packet: (All supportive documents and information, as listed below, can be found
14 on pages 12-18, Council agenda packet)

- 15 1. Final Language of Petitioners' Committee's Question Seeking to Amend the City Charter
- 16 2. December 4, 2025 Response from NH Attorney General, on behalf of the state agencies
- 17 3. NH RSA 49-B:5, Charter Amendments, Procedure

18
19 Deputy City Manager Brooks reviewed the background for the above.

21 **BACKGROUND**

22 On October 27, 2025, the City Clerk received an affidavit pursuant to RSA 49-B:5, II-a, (a), from a group
23 of Lebanon voters seeking to form a Petitioners' Committee for the purpose of pursuing an amendment to
24 the City Charter. The Petitioners' Committee seeks to amend the Lebanon City Charter, Article VI, Financial
25 Management, §6.05, Budget Procedure, to impose a limit on annual budget increases in the amount to be
26 raised by taxes in the City.

27
28 To advance the process, the Petitioners' Committee have already gathered (RSA 49-B:5, II.) and
29 validated/certified voter signatures equal in number to 15 percent of the number of ballots cast at the City's
30 last regular municipal election. (RSA 49-B:5, IV). The Council had 10 days to issue notice of a public
31 hearing on the amendment (RSA 49-B:5, V(a)). No substantive changes may be made to the proposed
32 amendment at the public hearing. Finally, within 7 days after the public hearing, the council must order the
33 proposed amendment to be placed on the ballot at the next regular municipal election that occurs not less
34 than 60 days after the date of the Council's order.

35
36 With the next municipal election scheduled for March 10, 2026, the foregoing process must be completed
37 by no later than January 8, 2026, or else the proposed charter amendment cannot be placed on a ballot until
38 the 2027 municipal election.

39
40 The City Council's January 7, 2026 meeting is the last regular meeting date to complete the process at least
41 60 days prior to the March 10, 2026 municipal election. As a result, it is suggested that the City Council
42 schedule and notice a public hearing for January 7, 2026, with the caveat that the required number of voter
43 signatures must yet be collected and submitted in time to allow the City Clerk to validate the signatures and
44 issue a certificate of petition sufficiency prior to the public hearing. The City Clerk has offered to attempt in
45 good faith to certify the petition by January 6th if the petition forms are returned by December 29th.
46 However, if the signatures are not obtained and filed more than 20 days prior to the public hearing, and if,
47 as a result, the City Clerk is unable to certify the petition as sufficient prior to the public hearing, then the
48 public hearing would be cancelled or continued to a later date and the proposed charter amendment would
49 not be eligible for placement on the ballot for the March 2026 municipal election.

1 **ACTION:**

2 **Councilor Simon MOVED, that the Lebanon City Council hereby schedules a public hearing for**
3 **Wednesday, January 7, 2026, beginning at 7:00pm in Council Chambers, City Hall, and Remote via**
4 **the City’s Virtual Platform, for the purpose of receiving public input on a petitioned amendment to**
5 **the Lebanon City Charter, Article VI, Financial Management, §6.05, Budget Procedure, to impose**
6 **a limit on annual budget increases in the amount to be raised by taxes in the City, and taking action**
7 **to order the petitioned amendment to be placed on the ballot at the next regular municipal election**
8 **to be held on March 10, 2026.**

9 *Seconded by Councilor McNamara.*

10
11 **The Vote on the Motion was approved (7-0)*

12
13 **4. ADJOURNMENT:**

14
15 **Councilor N. Ford Burley MOVED for adjournment.**

16 *Seconded by Assistant Mayor Wilkie.*

17
18 **The Vote on the MOTION was unanimously approved (7-0)*

19
20 **The meeting was adjourned at 6:45 PM.**

21
22 Respectfully submitted,

23 Dona E. Gibson

24 Recording Secretary

Agenda
Lebanon City Council
January 07, 2026

8. Appointments:

Appointments

Board/Committee Appointments as presented by City Clerk/Tax Collector.

- Arts and Culture Commission, Gail Dokucu (Citizen Representative or Alternate Member)
- Arts and Culture Commission, Honor Hingston (Citizen Representative or Alternate Member)
- Arts and Culture Commission, Leonard Ridilla (Citizen Representative or Alternate Member)
- Heritage Commission, Roxanne Benzel (Alternate Member)

Included in this Section:

1. Memo from City Clerk / Tax Collector Jaseya Ewing dated January 7, 2026.



MEMORANDUM

DATE: January 7, 2026
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.

Arts & Culture Commission

There is one vacancy for a Citizen Representative, and three Alternate positions on the Arts & Culture Commission.

1. **Gail Dokucu** – Appointment as a Citizen Representative or Alternate Member of the Arts & Culture Commission for a one-year term.

Term: 1/2026 – 1/2027

2. **Honor Hingston** – Appointment as a Citizen Representative or Alternate Member of the Arts & Culture Commission for a one-year term.

Term: 1/2026 – 1/2027

3. **Leonard Ridilla** – Appointment as a Citizen Representative or Alternate Member of the Arts & Culture Commission for a one-year term.

Term: 1/2026 – 1/2027

Heritage Commission

4. **Roxanne Benzel** – Appointment as an Alternate Member of the Heritage Commission for a three-year term.

Term: 1/2026 – 1/2029

CLBD-25-20

Submitted On: Sep 30, 2025

Gail Dokucu

Applicant Information

First Name

Gail

Last Name

Dokucu

Contact Phone Number

Contact Email

Mailing Street Address

Mailing City, State, Zip

How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

true

--

15 or more years

--

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

--

No, this is not for a reappointment.

true

For which board, committee, or commission are you applying?

Please note that City Council positions are elected positions. Those interested in serving on the City Council must file with the City Clerk’s office during the designated filing period prior to the March election of each year. The filing period information will be listed on the Elected Position Filing Information (<https://lebanonnh.gov/1835/Elected-Position-Filing-General-Informat>) page.

Arts & Culture Commission

Board of Cemetery Trustees

true

--

Class VI Roads Advisory Committee

Conservation Commission

--

--

Diversity, Equity, and Inclusion Commission

Economic Development Commission

--

--

Downtown Lebanon TIF Advisory Board

Heritage Commission

--

--

Lebanon Airport-Tech Park TIF Advisory Board

Lebanon Energy Advisory Committee

--

--

Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

--

--

Planning Board

Tree Advisory Board

--

--

West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

--

--

Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

Current Arts & Culture Commission member, Claire Geno, let me know that a spot on the commission was open and asked if I'd like to apply. I'm applying for one of the resident member seats as a way to get more involved with the community and help fill a gap.

I'm new to the area and have been volunteering at AVA for the last several months. I'm originally from Chicago, where I was an active member and administrator of Urban Sketchers Chicago. In that role I organized events for the group and was head of the Sponsorship Committee. I also served for approximately 3 years on the board of my homeowners' association.

Policy Acknowledgement

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-108, Ethics and Conflict-of-Interest for Elected and Appointed Officials.

true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

Lebanon/West Lebanon resident (except for those boards/committees/commissions 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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

Councilor Interview Report Form

Councilor Name: Devin R. Wilkie

Date of Interview: 12/8/2025

Applicant Name: Gail Dokucu

Board(s) to Which Applied: Arts & Culture Commission

☐ Regular Seat

☐ Alternate Seat

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

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

Recommend Appointment: ☒ Yes ☐ No

☐ Regular Seat ☒ Alternate Seat

General Comments: Gail is interested in getting involved in the commission, having been recruited by another commission member. She is new to the community and does not know much about the commission but is looking forward to learning. I would gladly recommend her to an alternate seat.

(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?

Wants to learn more! (We discussed, and the purpose as I understand it sounds good to her.)

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?

yes

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?

Homeowners association board in Chicago, and Chicago chapter of Urban Sketchers Global.

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?

Yes

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?

no

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

Unsure as yet

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

Unsure as yet

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

Learn more about the commission and get involved.

Applicant Information

First Name

Honor

Last Name

Hingston

Contact Phone Number

Contact Email

Mailing Street Address

Mailing City, State, Zip

How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

--

true

15 or more years

--

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

--

No, this is not for a reappointment.

true

For which board, committee, or commission are you applying?

Please note that City Council positions are elected positions. **Those interested in serving on the City Council must file with the City Clerk's office during the designated filing period prior to the March election of each year.** The filing period information will be listed on the Elected Position Filing Information (<https://lebanonnh.gov/1835/Elected-Position-Filing-General-Informat>) page.

Arts & Culture Commission

Board of Cemetery Trustees

true

--

Class VI Roads Advisory Committee

Conservation Commission

--

--

Diversity, Equity, and Inclusion Commission

Economic Development Commission

--

--

Downtown Lebanon TIF Advisory Board

Heritage Commission

--

--

Lebanon Airport-Tech Park TIF Advisory Board

Lebanon Energy Advisory Committee

--

--

Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

--

--

Planning Board

Tree Advisory Board

--

--

West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

--

--

Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

I am looking for a meaningful way to contribute to city government, and with my background in visual art and marketing, the Arts & Culture Commissions seems like a good place to start. I enjoy the Commission's work as a resident, particularly the tunnel murals and craft swap, and look forward to helping to bring more great ideas to life in Lebanon. Thank you for your consideration.

Policy Acknowledgement

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-108, Ethics and Conflict-of-Interest for Elected and Appointed Officials.

true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

Lebanon/West Lebanon resident (except for those boards/committees/commissions 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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

Councilor Interview Report Form

Councilor Name: Devin R. Wilkie

Date of Interview: 12/4/25

Applicant Name: Honor Hingston

Board(s) to Which Applied: Arts & Culture Commission

☐ Regular Seat

☐ Alternate Seat

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

(If yes, indicate date of meeting.) Date: 10/28/2025

Recommend Appointment: ☒ Yes ☐ No

☐ Regular Seat ☒ Alternate Seat

General Comments: Honor is enthusiastic to support the community and has plenty of great ideas for activities and opportunities within the Commission. I am pleased to recommend Honor for this role.

(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?

Bring arts and culture to citizens of Lebanon, rather than just hoping it happens. Make it a priority of the City.

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?

Yes

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?

Board for The VAULT, arts & crafts store & organization in VT. Includes open studio event.

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?

No

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

Relationship with Parks & rec, but not necessarily a distinct presence in the budget. Publicity for gathering ideas from the public.

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

More outreach to the public, to solicit ideas.

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

More ideas: We have technical people in our area, and interest in our bike trails, etc. — Local CO place had a themed bike ride, and the big attraction was the costume / decorated bike theme. Could we do this? Omer & Bob's, UVMBA, etc. and start at the Mall.

Portland, OR "sidewalk joy" like LFL's with mugs, pencils, craft supplies etc. — can we add to this or network them?

CLBD-25-30

 Leonard Ridilla

Submitted On: Oct 22, 2025

Applicant Information

First Name

Leonard

Last Name

Ridilla

Contact Phone Number

Contact Email

Mailing Street Address

Mailing City, State, Zip

How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

true

--

15 or more years

--

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

--

No, this is not for a reappointment.

For which board, committee, or commission are you applying?

Please note that City Council positions are elected positions. **Those interested in serving on the City Council must file with the City Clerk's office during the designated filing period prior to the March election of each year.** The filing period information will be listed on the Elected Position Filing Information (<https://lebanonnh.gov/1835/Elected-Position-Filing-General-Informat>) page.

Arts & Culture Commission

Board of Cemetery Trustees

true

--

Class VI Roads Advisory Committee

Conservation Commission

--

--

Diversity, Equity, and Inclusion Commission

Economic Development Commission

--

--

Downtown Lebanon TIF Advisory Board

Heritage Commission

--

--

Lebanon Airport-Tech Park TIF Advisory Board

Lebanon Energy Advisory Committee

--

--

Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

--

--

Planning Board

Tree Advisory Board

--

--

West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

--

--

Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

As a patron to the arts, I think Lebanon is an amazing and unique community. My wife attends classes at AVA, we frequently attend Nexus and concerts at the Opera House, and I love being a part of the Lebanon community filled with sidewalk poems and fountains. But I also want to give back more. Currently I work as a manager of financial newsletters and want to support creative expression in my own time. With my business development skills I can assist in the support of relationships between private ventures and our community's cultural activities. As I've been running my own business for several years, I can help develop ideas into actionable items to promote the board's efforts. I work well in teams and love creative problem solving. Thank you for your consideration!

Policy Acknowledgement

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-108, Ethics and Conflict-of-Interest for Elected and Appointed Officials.

true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

Lebanon/West Lebanon resident (except for those boards/committees/commissions 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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

Councilor Interview Report Form

Councilor Name: Devin R. Wilkie

Date of Interview: 12/1/25

Applicant Name: Leonard "Lee" Ridilla

Board(s) to Which Applied: Arts & Culture Commission

☐ Regular Seat

☐ Alternate Seat

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

(If yes, indicate date of meeting.) Date: 10/28/2025

Recommend Appointment: ☒ Yes ☐ No

☒ Regular Seat ☐ Alternate Seat

General Comments: Lee is excited to get involved and to join the Arts & Culture Commission. He brings energy and ideas to the Commission, and I am happy to recommend him for appointment.

(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?

Serve as a liaison between the arts that exist and the city government, to better facilitate the connection.

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?

yes

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?

In college, marketing manager for student newspaper

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?

yes

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?

no

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

Reaching the various population groups in Lebanon – how to get attention for the work going on and to support the arts.

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

Making those connections and building a community of arts.

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

Continue to try to answer the question, what can someone do in Lebanon when they have unexpected free time? Perhaps this will come in the form of a paper or virtual map.

CLBD-25-36

Submitted On: Nov 25, 2025

Roxanne Benzel

Applicant Information

First Name	Last Name
Roxanne	Benzel
Contact Phone Number	Contact Email
Mailing Street Address	Mailing City, State, Zip
How long have you resided in Lebanon?	0-1 Year
	--
2-5 years	6-15 years
true	--
15 or more years	
--	

Board/Committee/Commission Information

Is this application for a reappointment?	Yes, this is for reappointment.
	--
No, this is not for a reappointment.	For which board, committee, or commission are you applying?
true	Please note that City Council positions are elected positions. Those interested in serving on the City Council must file with the City Clerk’s office during the designated filing period prior to the March election of each year. The filing period information will be listed on the Elected Position Filing Information (https://lebanonnh.gov/1835/Elected-Position-Filing-General-Informat) page.
Arts & Culture Commission	Board of Cemetery Trustees
--	--
Class VI Roads Advisory Committee	Conservation Commission
--	--
Diversity, Equity, and Inclusion Commission	Economic Development Commission
--	--
Downtown Lebanon TIF Advisory Board	Heritage Commission
--	true

Lebanon Airport-Tech Park TIF Advisory Board

Lebanon Energy Advisory Committee

--

--

Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

--

--

Planning Board

Tree Advisory Board

--

--

West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

--

--

Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

Hello Madame City Clerk Ewing and City of Lebanon Representatives:

I am writing to express my sincere interest in serving on the City's Heritage Commission. With more than 30 years of professional experience in the Defense and Automotive industries, I bring a deep background in structured problem-solving, project leadership, and organizational excellence.

In addition to my professional career, my service as President of the Board of Trustees and service with the Hopkinton Historical Society for 20+ years strengthened my understanding of historical preservation, community engagement, and nonprofit governance. This combination of industry expertise and hands-on heritage leadership has prepared me well to contribute thoughtfully and effectively to the Commission's mission.

I am passionate about preserving and promoting the history and character of our storied community, and I would welcome the opportunity to support the Commission's work through dedicated, collaborative service.

Additionally, I am submitting this application on this date, 25 November 2025, as it is the cut-off date to apply for a Commission position. I plan to attend the scheduled Heritage Commission meeting on 10 December 2025.

Thank you for your consideration,
Roxanne Benzel

Policy Acknowledgement

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-108, Ethics and Conflict-of-Interest for Elected and Appointed Officials.

true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

Lebanon/West Lebanon resident (except for those boards/committees/commissions whose membership makeup includes non-resident)
Willingness to learn

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

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

Councilor Interview Report Form

Councilor Name: Nicole Ford Burley Date of Interview: 12/19/25

Applicant Name: Roxanne Benzel

Board(s) to Which Applied: Heritage Commission

☐ Regular Seat ☒ Alternate Seat

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

(If yes, indicate date of meeting.) Date: Jan 2026

Recommend Appointment: ☒ Yes ☐ No

☐ Regular Seat ☒ Alternate Seat

General Comments:

Roxanne is enthusiastic about Lebanon's history and promoting it to the public, and brings extensive experience with NH historical organizations. She would be a great addition to the HC.

(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?

To preserve the community's history and protect historical neighborhoods/buildings, as well as local stories and events. It also plays a part in balancing preservation with responsible growth, and in supporting growth while respecting the history of the community. Also educating the population and raising awareness

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?

Yes and yes

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?

Yes - President of the Hopkinton Historical Society. Also on the board of the Lebanon Opera House and a Lebanon ward moderator.

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?

Yes

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?

No

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

Potentially maintaining a full and active membership. Also the challenge of interpreting historical significance and balancing preservation with development.

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

To make the Commission more visible, promoting the Commission and what it does.

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

More public awareness, education about the history and historic structures of Lebanon, and celebration of cultural heritage past and present.

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?

Agenda

Lebanon City Council

January 7, 2026

9. Public Hearing Items:

9.A – Petitioned Charter Amendment

A public hearing for the purpose of receiving public input on a petitioned amendment to the Lebanon City Charter, Article VI, Financial Management, §6.05, Budget Procedure, to impose a limit on annual budget increases in the amount to be raised by taxes in the City, and taking action to order the petitioned amendment to be placed on the ballot at the next regular municipal election to be held on March 10, 2026.

The City Council scheduled this public hearing at its December 18, 2025 special meeting. The public hearing was properly noticed in the *Valley News* on December 27, 2025 in accordance with City Code and State Law.

Background

On October 27, 2025, the City Clerk received an affidavit pursuant to RSA 49-B:5, II-a, (a), from a group of Lebanon voters seeking to form a Petitioners' Committee for the purpose of pursuing an amendment to the City Charter. The Petitioners' Committee seeks to amend the Lebanon City Charter, Article VI, Financial Management, §6.05, Budget Procedure, to impose a limit on annual budget increases in the amount to be raised by taxes in the City.

Following verification that the requisite 20 voter signatures had been obtained on the Petitioners' Committee affidavit to initiate the charter amendment process, the text of the proposed amendment was forwarded to the Secretary of State, Attorney General, and the Commissioner of the Department of Revenue Administration for review. The state agencies responded on December 4th that they do not object to the proposed charter amendment. The Petitioners' Committee was then authorized to circulate petition forms to gather additional voter signatures in support of the amendment.

On December 16, 2025, the Petitioners' Committee submitted the required number of voter signatures for the proposed amendment. On the same day, the City Clerk validated the signatures and issued a certificate of petition sufficiency. On December 18th, the City Council scheduled this public hearing for January 7, 2026. No substantive changes may be made to the proposed amendment at the public hearing.

Within 7 days after the public hearing, the Council must order the proposed amendment to be placed on the ballot at the next regular municipal election that occurs not less than 60 days after the date of the Council's order (RSA 49-B:5, V(b)).

Action:

The following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby orders that the original, certified Petitioned Amendment to the Lebanon City Charter, Article VI, Financial Management,

§6.05, Budget Procedure, to impose a limit on annual budget increases in the amount to be raised by taxes in the City, shall be placed on the ballot for voter consideration at the next municipal election on March 10, 2026.

Included In This Section:

1. Final Language of Petitioners' Committee's Question Seeking to Amend the City Charter
2. December 4, 2025 Response from NH Attorney General, on behalf of the state agencies
3. December 16, 2025 City Clerk Certification of Petition Sufficiency
4. NH RSA 49-B:5, Charter Amendments, Procedure
5. Notice of Public Hearing as Published in the December 27, 2025 edition of the *Valley News*

Proposed Charter Amendment (Limitation on Budget Increase):

"Shall the City approve the charter amendment summarized below?"

Amend the Lebanon City Charter, Article VI, Financial Management, §C6.05 Budget Procedure, to include a limit on annual budget increases in the amount to be raised by taxes in the City, as follows:

A. Limitation on budget increase.

1. Recognizing that final tax rates for the City of Lebanon are set by the New Hampshire Department of Revenue Administration pursuant to RSA 21-J:35,1, the Manager of the City of Lebanon shall develop an annual budget proposal and the Mayor and City Council shall act upon such proposal in accordance with the mandates of this section.
2. Override Provision: Budgetary restrictions described in any part of this §C6.05 may be overridden upon a vote of two-thirds (2/3) of all the councilors elected. Such override expires following adoption of the annual budget. Subsequent budgets or supplemental appropriations require additional two-thirds (2/3) override votes, or the limitations expressed in this section will apply.
3. In the Manager's proposed budget submitted to the Mayor and City Council, the estimated amount of local taxes to be raised for the fiscal year shall not exceed the local taxes raised for the prior year, subject to adjustment as provided herein.

(a) If the local taxes raised for the prior year were reduced by any fund balance brought forward from previous years, the amount of such reduction shall be added back and included in the amount of taxes raised for the prior year.

(b) The estimated amount of local taxes to be raised for the fiscal year shall be increased to account for inflation and changes in the City's population, according to the following formula: This year's base = (Last year's base) x (1 + CPI-avg).

"Base" means the local taxes raised for the year. "CPI-avg" means the rolling three-year average of the annual percentage change of the Consumer Price Index-Urban (CPI-U) published by the U.S. Bureau of Labor Statistics as of October 1 preceding the date of the budget adoption.

4. The mayor and city councilors shall assume estimated local tax revenue only in an amount not to exceed the local tax revenue due to be collected during the prior fiscal year, increased by the rolling three-year average of the Consumer Price Index-Urban (CPI-U) published by the U.S. Bureau of Labor Statistics as of October 1 preceding the date of the budget adoption. If the CPI-avg is negative, then there shall be no assumed increase in local tax revenue.

B. Total budgeted expenditures.

Total budgeted expenditures for any given budget year shall not exceed the adjusted estimated amount of local taxes pursuant to Paragraph A.3. herein, increased by the other revenues generated by the City, subject to the Paragraph A.2. override provision. Supplemental appropriations following adoption of the annual budget shall be per §C6.08.

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

1 Granite Place South
Concord, NH 03301

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

December 4, 2025

Sent by email only
Clerk@lebanonnh.gov
Jaseya Ewing
City Clerk
City of Lebanon

Re: Lebanon, Petitioned Charter Amendment

Dear Clerk Ewing:

Pursuant to RSA 49-B:4-a, you submitted a proposed City of Lebanon charter amendment for review on October 27, 2025.

After review and pursuant to RSA 49-B:4-a, the New Hampshire Attorney General's Office, the Secretary of State's Office, and the Department of Revenue Administration do not object to the proposed amendment to the city charter.

Sincerely,

/s/ *Brendan O'Donnell*
Brendan A. O'Donnell
Senior Assistant Attorney General
Election Law Unit

cc: Douglas Bruno, Office of the Secretary of State
Lawrence Gagnon, Department of Revenue Administration



City Clerk & Tax Collector's Office

51 North Park Street | Lebanon, NH 03766

Phone: (603) 448-3054 | clerk@lebanonnh.gov

www.lebanonnh.gov

CITY CLERK CERTIFICATION PETITION SUFFICIENCY

I, Jaseya Girona Ewing, City Clerk, do hereby certify that:

1. On October 2, 2025, Petitioner Committee Chairperson Jennifer Mercer submitted a charter amendment petition proposing the limitation of a budget increase; and
2. On December 4, 2025, a total of 25 petition forms were issued to the Chairperson; and
3. Pursuant to RSA 49-B:5, II, a petition must be signed by registered voters equal in number to at least 15 percent of the total ballots cast in the last municipal election; and
4. The number of signatures required from registered voters residing within the City of Lebanon for the petition to be deemed sufficient is 237; and
5. Upon examination of the petition, I have verified that it contains 247 valid signatures, and therefore certify the petition as sufficient to be placed on the agenda for the City Council meeting on January 7, 2026.

Signed this 16th day of December, 2025:

Jaseya Girona Ewing, City Clerk

TITLE III
TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES
Chapter 49-B
HOME RULE-MUNICIPAL CHARTERS

Amendment of Municipal Charter

Section 49-B:5

49-B:5 Charter Amendments, Procedure. –

- I. The municipal officers may determine that one or more amendments to the municipal charter are necessary and shall, by order, provide for notice and hearing on them. The notice of the hearing shall be published in a newspaper having general circulation in the municipality at least 7 days prior to the hearing, and shall contain the text of the proposed amendment and a brief explanation. The hearing shall be conducted by the municipal officers or a committee appointed by them. If substantive changes are made to the proposed amendment, a hearing on the modified amendment shall be held. Notice of the hearing and the conduct thereof shall be as provided in this paragraph.
 - (a) Within 7 days after the last public hearing, the municipal officers or the committee appointed by them shall file with the municipal clerk a report containing the proposed amendment. In the case of a report of an appointed committee, a copy shall be filed with the municipal officers.
 - (b) Within 7 days after receiving approval from the secretary of state, the attorney general, and the commissioner of the department of revenue administration under RSA 49-B:4-a, the municipal officers may order the proposed amendment to be placed on a ballot at the next regular municipal election. In the case of municipalities with biennial elections, the municipal officers may order amendments to be placed on the ballot at either the next regular municipal election or at a special municipal election that occurs not less than 60 days after the order.
 - (c) Each amendment shall be limited to a single subject, but more than one section of the charter may be amended as long as it is germane to that subject.
 - (d) Alternative statements of a single amendment are prohibited.
- II. On the written petition of a number of voters equal to at least 15 percent of the number of ballots cast in a municipality at the last regular municipal election, but in no case fewer than 10 voters, the municipal officers shall, by order, provide that proposed amendments to the municipal charter be placed on a ballot in accordance with the procedures set out in paragraphs II-a through V:
 - (a) Each amendment shall be limited to a single subject but more than one section of the charter may be amended as long as it is germane to that subject.
 - (b) Alternative statements of a single amendment are prohibited.

II-a. The following procedure shall be used in the alternative method set out in paragraph II:

- (a) Any 5 voters of the municipality may file with the municipal clerk an affidavit stating that they shall constitute a petitioners' committee. Such affidavit shall be signed by the members of such committee and an additional 20 voters of the municipality and shall include:
 - (1) The language of each proposed amendment.
 - (2) The names and addresses of the committee members.
 - (3) The address to which all notices to the committee are to be sent.
 - (b) Each signature on the affidavit required by subparagraph II-a(a) shall be included in the clerk's count of the number of signatures required by paragraph II unless a signatory has signed both the affidavit and the petition, in which case the signature shall be counted only once.
 - (c) Promptly after the affidavit is filed by the petitioners' committee, the clerk shall file a certified copy of the affidavit, including the proposed amendment, for review of the proposed amendment in accordance with RSA 49-B:4-a. Promptly after receiving approval of the proposed amendment from the state officials under RSA 49-B:4-a, the clerk shall issue petition form blanks to the committee. The petition forms shall read substantially as follows: "Each of the undersigned voters respectfully requests the municipal officers to provide for the amendment(s) of the municipal charter as set out below. If more than one subject is included in a petition, each subject shall be addressed in a separate amendment".
- III.
- (a) The petitioners' committee, or voters of the municipality designated by the committee, may circulate the petition and file it in proper form. Each signature affixed to a petition shall be in ink or other indelible instrument and shall be followed by the place of domicile of the voter with street and number, if any. No petition shall contain any party or political designation.
 - (b) The clerk shall note the date of each petition form issued and all petitions, unless sooner filed, shall become null and void for every purpose on the 120th day after the date of issue.
 - (c) Each petition form shall have printed on its back an affidavit to be executed by the circulator, stating that he personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his presence, that he believes them to be genuine signatures of the persons whose names they purport to be, that each signer has signed no more than one petition, and that each signer had an opportunity before signing to read the petition.
 - (d) Petition forms shall be assembled as one instrument and filed at one time with the clerk. The clerk shall note thereon the date of filing.
- IV. Within 20 days after the petition is filed, the clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective, shall promptly

send a copy of the certificate to the petitioners' committee by mail, and shall file a copy with the municipal officers.

- (a) A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the clerk within 2 days after receiving the copy of his certificate. Within 10 days after the date of filing of the notice of intention, the committee may file a supplementary petition to correct the deficiencies in the original petition. Such supplementary petition shall in form and content comply with the requirements for an original petition under paragraph III.
 - (b) Within 5 days after the filing of a supplementary petition the clerk shall complete and file a certificate as to its sufficiency in the manner provided for in an original petition.
 - (c) When an original or supplementary petition has been certified insufficient, the committee may, within 2 days after receiving the copy of the clerk's certificate, file a request with the municipal officers for review. The municipal officers shall inspect the petitions and shall make due certificate thereof, copies of which shall be filed with the municipal clerk and mailed to the committee. The certificate of the municipal officers shall be a final determination of the sufficiency of the petitions.
 - (d) Any petitions finally determined to be insufficient shall be void. Such petitions shall be stamped void by the clerk and shall be sealed and retained by the clerk in the manner required for secret ballots.
- V. (a) Within 10 days of receipt of a report that a petition is sufficient, the municipal officers shall by order provide for and issue notice of a public hearing on the proposed amendment. The notice of the hearing shall be published in a newspaper having general circulation in the municipality at least 7 days prior to the hearing, and shall contain the text of the proposed amendment and a brief explanation. The hearing shall be conducted by the municipal officers and no substantive changes may be made to the amendment.
- (b) Within 7 days after the public hearing, the municipal officers shall file with the municipal clerk a report containing the proposed petitioned amendment and shall order the proposed amendment to be placed on the ballot at the next regular municipal election. In the case of municipalities with biennial elections, the municipal officers shall order the amendments to be placed on the ballot at either the next regular municipal election or at a special municipal election that occurs not less than 60 days after the date of the order.

Source. 1979, 241:1. 1988, 223:4, 5. 1991, 304:13. 1992, 96:2, 3. 1995, 53:2. 2005, 38:1. 2008, 230:1, 2, eff. Aug. 19, 2008. 2014, 292:2, eff. Sept. 30, 2014. 2016, 224:1-5, eff. Aug. 8, 2016.

December 30, 2025

The foregoing notice was published in the Valley News, a newspaper of general circulation in the City of Lebanon, in accordance with the City's code, on December 27, 2025.

Jaseya Ewing

Jaseya Ewing
City Clerk



**LEBANON CITY COUNCIL
NOTICE OF PUBLIC HEARINGS
Wednesday, January 7, 2026 - 7:00pm
Council Chambers, City Hall or
REMOTE VIA VIRTUAL PLATFORM
LebanonNH.gov/LIVE**

The Lebanon City Council will hold public hearings on January 7, 2026, beginning at 7:00pm for the following:

- A. Petitioned Charter Amendment** – A public hearing for the purpose of receiving public input on a petitioned amendment to the Lebanon City Charter, Article VI, Financial Management, §6.05, Budget Procedure, to impose a limit on annual budget increases in the amount to be raised by taxes in the City, and taking action to order the petitioned amendment to be placed on the ballot of the March 10, 2026 municipal election
- B. Ordinance #2025-14** – A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 8, Airport Operations, Section 8.4, Airport Rules and Regulations, to amend the Airport Fuel Flowage Fees set forth in Exhibit 1, Fee Schedule, of the Airport Rules and Regulations

The January 7, 2026 City Council agenda packet and documents pertaining to the above-described public hearings will be available on the City's website by January 2, 2026: 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-479303

Agenda Lebanon City Council January 7, 2026

9. Public Hearing Items:

9.B – Ordinance #2025-14, to Amend City Code Chapter 8, Airport Operations, Section 8.4, Airport Rules and Regulations, to Amend the Airport Fuel Flowage Fees set forth in Exhibit #1, Fee Schedule, of the Airport Rules and Regulations

A public hearing for the purpose of receiving public input and taking action on proposed Ordinance #2025-14 to amend City Code Chapter 8, Airport Operations, Section 8.4, Airport Rules and Regulations, to amend the Airport Fuel Flowage Fees set forth in Exhibit #1, Fee Schedule, of the Airport Rules and Regulations.

The City Council scheduled this public hearing at its December 3, 2025 regular meeting. The public hearing was properly noticed in the *Valley News* on December 27, 2025 in accordance with City Code and State Law.

Background

In recent years, the City Council has regularly updated the Aircraft Landing Fees documented within the Airport Rules and Regulations as part of an ongoing effort to try to make the Lebanon Airport a more self-sustaining operation. Most recently, on October 15, 2025, the City Council adopted Ordinance #2025-09 to establish new landing fees to be effective beginning January 1, 2026.

However, other fees associated with airport use and operations have not been regularly updated. For example, it does not appear that the Fuel Flowage Fees outlined in the Airport Rules and Regulations have been updated since at least 2019, when they were incorporated into the Fee Schedule (Exhibit #1) of the Rules and Regulations. Under the existing fee schedule, the City receives \$0.08 per net gallon of all fuel delivered to the Fixed Base Operator (Granite Air) and from all other self-fueling activities occurring at the airport.

The City Manager recommends that the City Council consider increasing the Fuel Flowage Fees from \$0.08 to \$0.16 per net gallon to account for inflation and other cost increases associated with overall airport operations.

Action:

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

MOVED, that the Lebanon City Council hereby adopts Ordinance #2025-14, to amend Lebanon City Code Chapter 8, Airport Operations, Section 8.4, Airport Rules and Regulations, to amend the Airport Fuel Flowage Fees, as set forth in Exhibit #1, Fee Schedule, of the Rules and Regulations, as presented in the January 7, 2026 City Council Agenda Packet.

Included in this Section:

1. Proposed Ordinance #2025-14
2. City Code Chapter 8 – Airport Operations
3. Exhibit #1 – Fee Schedule, from Lebanon Airport Rules and Regulations
4. Notice of Public Hearing as Published in the December 27, 2025 edition of the *Valley News*

Not Included, But Also Available:

1. [City of Lebanon, New Hampshire, Lebanon Municipal Airport, Rules and Regulations for the Operation of the Airport, Adopted September 1, 1993, As Amended December 13, 2023.](#)

**CITY OF LEBANON
ORDINANCE #2025-14**

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 8, Airport Operations, Section 8.4, Airport Rules and Regulations.

BE IT ORDAINED, by the City Council of the City of Lebanon, as follows:

Section 1:

Exhibit 1, Fee Schedule, of the Lebanon Municipal Airport Rules and Regulations is hereby amended to change the Fuel Flowage Fees as follows:

5. Fuel Flowage Fees

The Fuel Flowage Fee shall be ~~\$0.08~~ \$0.16 per Net Gallon of all Fuel.

Section 2: Severability

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses or part of this ordinance.

Section 3: Effective Date

Ordinance shall be effective upon passage.

Chapter 8

AIRPORT OPERATIONS

§ 8-1.	Declaration of policy.	§ 8-6.	Operational standards for fixed-based operators.
§ 8-2.	Aeronautical Fund.		
§ 8-3.	(Reserved)	§ 8-7.	Use of Airport land acquired with federal funds.
§ 8-4.	Airport rules and regulations.		
§ 8-5.	Commercial activities.		

[HISTORY: Adopted by the City Council of the City of Lebanon 2-3-1993 by Ord. No. 65. Amendments noted where applicable.]

GENERAL REFERENCES

Consumption of alcoholic beverages in Airport Terminal Building — See Ch. 14.

Art. VIII.

Taxicab operations at Lebanon regional airport — See Ch. 157.

Lebanon Municipal Airport Advisory Committee — See Ch. 31,

§ 8-1. Declaration of policy.

The City Council of the City of Lebanon hereby ordains the following for the purpose of establishing the Department of the Airport for the purpose of operating the Lebanon Municipal Airport (hereinafter referred to as "Airport") pursuant to RSA Chapter 423.

§ 8-2. Aeronautical Fund.

- A. There is hereby established the Aeronautical Fund (hereinafter referred to as the "fund") consisting of various accounts as separate accounts for the deposit of all revenues and the expenditure of all funds relating to the operation of the airport. Such moneys shall not be intermingled with other funds of the city. The fund shall not lapse and the unexpended balance of said fund shall be carried forward to subsequent years. The moneys in the fund shall be used solely for aeronautical purposes as required by RSA Chapter 423 and the laws and regulations of the Federal Aviation Administration.
- B. All moneys received from the State of New Hampshire and the Federal Aviation Administration (hereinafter referred to as "FAA") for the Airport shall be deposited into and expended from the fund.

§ 8-3. (Reserved)¹

§ 8-4. Airport rules and regulations.²

Rules and regulations for the operation of the Airport shall be adopted by the City Council in the same manner as for the adoption or amendment of an ordinance. When the FAA or the New Hampshire

1. Editor's Note: Former § 8-3, Airport self-supporting on revenue generated from commercial activities, was repealed 12-3-2008.

2. Editor's Note: The rules and regulations are on file in the offices of the City Clerk and the Airport Manager.

Aeronautical Division imposes rules and regulations for the operation of the Airport, the Airport Manager shall have the authority to put such rules and regulations into effect and enforce the same in a timely manner without City Council action.

§ 8-5. Commercial activities.

No business shall be conducted or obtained at the airport except by written agreement, upon such terms and conditions acceptable to the city and approved by the City Council. Any business or commercial activities deriving economic benefits from the operation of the Airport shall compensate the city in a manner acceptable to the city, including but not limited to airlines, car rental agencies, both on and off the Airport, restaurants, fixed-based operators, etc.

A. Car rental agencies. On-site locations for car rental agencies shall be allocated on open bidding based on guaranteed minimums for the payment of the Airport rental fee in a percentage of the total customer car rental charges upon such terms and conditions acceptable to the city. In addition, the car rental agencies shall pay such rental charges and parking charges as the city deems necessary.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

OFF-AIRPORT BUSINESS(ES) — Any commercial operation or establishment, operated for profit, that does not rent facilities on Airport property and is engaged in the following lines of business that obtain customers at the Airport who either arrive or depart the Airport on aircraft: car rental, taxi or limousine service and motel or hotel establishments.

USER FEE — A fee imposed upon an off-airport business for the right to enter and go upon Airport property for the purpose of picking up or discharging customers or potential customers.

C. Amount of user fees for off-airport business(es), except off-airport car rental agencies. The city shall determine the amount of user fees to be paid by off-airport business(es), except off-airport car rental agencies, taking into consideration such factors as the frequency and intensity of use of airport property, the amount of revenue attributable to customers picked up or discharged at the airport, similar charges made by on-airport business(es) and the relative benefits that an off-airport business derives from gaining access to and using airport facilities.

D. Off-airport car rental agency. Any off-airport car rental agency shall pay as a user fee the current Airport rental fee paid by on-airport car rental agencies for that part of its business derived from Airport sales. The Airport rental fee is a percentage of the total customer car rental charges. There shall be a written agreement between the city and the off-airport car rental agency as a condition of doing business at the Airport.

E. Regulation of vehicles on the airport. Vehicles using the Airport shall comply with Airport regulations and shall obtain a permit and pay such fees as may be required.

§ 8-6. Operational standards for fixed-based operators.

There shall be established minimum operational standards for fixed-base operators to provide the necessary services and comply with applicable safety requirements in compliance with federal and state laws and regulations.

§ 8-7. Use of Airport land acquired with federal funds.

In connection with the expansion of the Airport in 1983 and the receipt of federal funds, restrictions were placed on the use of Airport land as shown on the plan attached as Exhibit A and made a part of

this chapter.³ See Citizens for Responsible Area Growth (CRAG) v. Brock Adams, et al., United States District Court for the District of New Hampshire, Docket Number C79-61, which the Citizens' Advisory Committee (CAC) as a means of communicating with affected communities in the Upper Valley area and to provide guidance and flexibility in complying with the court order while at the same time balancing necessary and reasonable commercial utilization of the Airport land. The operation of the Airport and the use of Airport land shall be in conformity with the court order.

3. Editor's Note: Exhibit A is on file in the office of the City Clerk.

EXHIBIT #1 – FEE SCHEDULE

1. **Aircraft Landing Fees Applicable to All Transient Aircraft**

Type of Aircraft (maximum take-off weight)	Fee* effective 1/1/26
Single-Engine/Commercial	\$0
Light Twin Engine	\$25.00
Turboprops (< 9,001 Pounds)	\$50.00
Turboprops (9,001 - 27,000 Pounds) (SE)	\$95.00
Turboprops (9,001 - 27,000 Pounds) (ME)	\$95.00
Turboprops (> 27,000 Pounds)	\$175.00
Jet (Very Light Jets - VLJs)	\$120.00
Jet (9,001 - 27,000 Pounds)	\$345.00
Jet (27,001 - 60,000 Pounds)	\$455.00
Jet (> 60,000 Pounds)	\$555.00
Jet (Airline Category)	\$875.00
All Piston Helicopters	\$25.00
All Turbine Helicopters	\$30.00

2. **Commercial Vehicle Fees**

- a. \$25.00 per Permit Year for each Taxi (including limousines and other vehicles for hire)
- b. \$25.00 per Permit Year for each Shuttle Vehicle or Cargo/Freight Operator

3. Car Rental Agency and User Fees

- a. On-Airport car rental agencies shall pay an Airport Rental Fee of 10% of the total customer car rental charges.
- b. Off-Airport car rental agencies shall pay a user fee of 10% of the total customer car rental charges.

4. Licensed Property Fees/Permit Fees

- a. Commercial Operators using Licensed Property of City: Monthly license fees in the amount of either (i) 10% of the fees charged by Commercial Operators for services rendered on the Licensed Property at the Airport or (ii) an amount equal to the rental rate per square foot being paid by Commercial Operators for ground leases at the Airport applied to each square foot of Licensed Property, whichever amount is greater.
- b. Transient Commercial Operators: A fee applied on a per occurrence basis for each single use of Aircraft, or each single repair or single service to an individual Aircraft, based on the Aircraft's type of engine:

Piston Engine: \$250 per occurrence

Turbo Prop Engine: \$500 per occurrence

Turbine Engine: \$750 per occurrence

- c. In the case of a TASO providing flight training, the fee shall be based on the type of engine of each Aircraft utilized for flight lessons during each 30-calendar-day period of time.

- d. Non-Commercial Operators with Leases – None

5. Fuel Flowage Fees

The Fuel Flowage Fee shall be \$0.08 per Net Gallon of all Fuel.

December 30, 2025

The foregoing notice was published in the Valley News, a newspaper of general circulation in the City of Lebanon, in accordance with the City's code, on December 27, 2025.

Jaseya Ewing

Jaseya Ewing
City Clerk



**LEBANON CITY COUNCIL
NOTICE OF PUBLIC HEARINGS
Wednesday, January 7, 2026 - 7:00pm
Council Chambers, City Hall or
REMOTE VIA VIRTUAL PLATFORM
LebanonNH.gov/LIVE**

The Lebanon City Council will hold public hearings on January 7, 2026, beginning at 7:00pm for the following:

- A. Petitioned Charter Amendment** – A public hearing for the purpose of receiving public input on a petitioned amendment to the Lebanon City Charter, Article VI, Financial Management, §6.05, Budget Procedure, to impose a limit on annual budget increases in the amount to be raised by taxes in the City, and taking action to order the petitioned amendment to be placed on the ballot of the March 10, 2026 municipal election
- B. Ordinance #2025-14** – A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 8, Airport Operations, Section 8.4, Airport Rules and Regulations, to amend the Airport Fuel Flowage Fees set forth in Exhibit 1, Fee Schedule, of the Airport Rules and Regulations

The January 7, 2026 City Council agenda packet and documents pertaining to the above-described public hearings will be available on the City's website by January 2, 2026: 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-478903

**Agenda
Lebanon City Council
January 7, 2026**

11. New Business:

11.A – Review and Adoption of 2026 Annual Calendar

Background

To better organize the Council's annual events, a calendar has been drafted for review and consideration. Thus far, dates include City holidays, regular Council meetings, anticipated special meetings, municipal election information, proposed dates for the annual work sessions (unconfirmed), and proposed Council Budget Work Session dates (5 reserved dates in November - subject to change). If the proposed calendar is acceptable, the Council is asked to take action to adopt the Annual Calendar as presented. If changes/additions are desired, the Council is encouraged to suggest alterations for consideration by the body.

Action

If the proposed meeting schedule is acceptable, the Council is requested to consider the following motion:

MOVED, that the Lebanon City Council hereby adopts the Annual Calendar as presented in the January 7, 2026 City Council Agenda Packet.

Included in this Section:

1. Proposed 2026 Annual Calendar

JANUARY 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				2 HOLIDAY	3	
4	5	6	7 REGULAR MEETING	8	9	10
11	12	13	14	15	16	17
18	19 HOLIDAY	20	21 REGULAR MEETING	22	23	24
25	26	27	28	29	30	31

FEBRUARY 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3	REGULAR MEETING	5	6	7
8	9	10	11	12	13	14
15	HOLIDAY	17	REGULAR MEETING	19	20	21
22	23	24	25	26	27	28

MARCH 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3	REGULAR MEETING	5	6	7
8	9	MUNICIPAL/ SCHOOL ELECTION	11	CANVASS OF THE VOTE	13	14
15	16	17	REGULAR MEETING	19	20	21
22	23	24	ORGANIZATIONAL MEETING	26	27	28
29	30	31				

APRIL 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			REGULAR MEETING	2	3	4
5	6	7	8	9	10	11
12	13	14	REGULAR MEETING	16	17	18
19	20	STRATEGIC PLAN WORK SESSION	22	STRATEGIC PLAN WORK SESSION	24	25
26	27	28	29	30		

MAY 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4	5	REGULAR MEETING	7	8	9
10	11	12	FINANCIAL OUTLOOK SPECIAL MEETING	14	15	16
17	18	19	REGULAR MEETING	21	22	23
24	HOLIDAY	26	27	28	29	30
31						

JUNE 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	REGULAR MEETING	4	5	6
7	8	9	10	11	12	13
14	15	16	REGULAR MEETING	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			REGULAR MEETING	2	HOLIDAY	4
5	6	7	8	9	10	11
12	13	14	REGULAR MEETING	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3	4	REGULAR MEETING	6	7	8
9	10	11	12	13	14	15
16	17	18	REGULAR MEETING	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	REGULAR MEETING	3	4	5
6	HOLIDAY	8	9	10	11	12
13	14	15	REGULAR MEETING	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5	6	REGULAR MEETING	8	9	10
11	12	13	14	15	16	17
18	19	20	REGULAR MEETING/ CIP	22	23	24
25	26	27	28	29	30	31

NOVEMBER 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3 BUDGET WORK SESSION	REGULAR MEETING	5 BUDGET WORK SESSION	6	7
8	9	10	HOLIDAY	12 BUDGET WORK SESSION	13	14
15	16 BUDGET WORK SESSION	17	REGULAR MEETING	19 BUDGET WORK SESSION	20	21
22	23	24	25	HOLIDAY	HOLIDAY	28
29	30					

DECEMBER 2026

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	REGULAR MEETING	3	4	5
6	7	8	9	10	11	12
13	14	15	REGULAR MEETING	17	18	19
20	21	22	23	HOLIDAY	HOLIDAY	26
27	28	29	30	31		

**Agenda
Lebanon City Council
January 7, 2026**

11. New Business:

**11.B – Appointment of 2026 Chair and Vice Chair
for the Economic Development Commission (EDC)**

Background

On July 10, 2019, the City Council approved Ordinance #2019-12 to amend City Code Chapter 31, Boards, Committees, and Commissions, to establish the Economic Development Commission (EDC).

According to §31-46, Establishment; Membership; Qualifications, the City Council shall annually ... appoint a Chairperson and a Vice-Chairperson from the nine members of the Economic Development Commission to serve the following calendar year.

Action

The following motion is offered for City Council consideration:

MOVED, that _____ be appointed as Chair of the Economic Development Commission for calendar year 2026.

BE IT FURTHER MOVED, that _____ be appointed as Vice-Chair of the Economic Development Commission for calendar year 2026.

Included in this Section:

1. EDC Member Roster

City of Lebanon
Economic Development Council - EDC

City Council Representatives

Councilor Chris Simon

Email chris.simon@lebanonnh.gov

Councilor Timothy McNamara

Email timothy.mcnamara@lebanonnh.gov

Representatives

Dan Nash (3/25 - 3/27)

Chair (2025)

Andrew Key (4/24-4/26)

Vice-Chair (2025)

Dean Cashman (3/24-3/26)

Lebanon, NH 03766

Chip Brown (4/24-4/26)

Brendan Callahan (05/25-05/27)

Eric Stacy (05/25-05/27)

Vacant

Citizen Representative

Morgan Brophy, Non-Voting Member

Upper Valley Business Alliance

Andrew Hosmer, Non-Voting Member

City Manager

City of Lebanon

51 North Park Street

Lebanon, NH 03766

603-448-4220

Email: andrew.hosmer@lebanonnh.gov

Staff Support

David Brooks, Deputy City Manager

City of Lebanon

51 North Park Street

Lebanon, NH 03766

603-448-4220

**Agenda
Lebanon City Council
January 7, 2026**

11. New Business:

**11.C – Review and Discussion of DEI Commission Recommendation for
Creation of Welcoming Lebanon Policy Task Force**

Background

At its December 2025 meeting, the Diversity, Equity, and Inclusion (DEI) Commission discussed, and ultimately supported, a draft resolution advocating for the establishment of a new Welcoming Lebanon Policy Task Force. This recommendation comes in the wake of the City Council's action on November 5, 2025 to delete and repeal City Code Chapter 185, Welcoming Lebanon, effective December 31, 2025, in order to ensure compliance with applicable state laws that take effect on January 1, 2026.

Action

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

MOVED, that the Lebanon City Council hereby adopts the Resolution Establishing the Welcoming Lebanon Policy Task Force, including the Purpose and Scope, Composition, Reporting and Deliverables, and Sunset date, as set forth in the January 7, 2026 City Council Agenda Packet.

Included In This Section:

1. Draft: Resolution Establishing the Welcoming Lebanon Policy Task Force
2. Draft minutes of December 16, 2025 DEI Commission meeting

Draft: Resolution Establishing the Welcoming Lebanon Policy Task Force

CITY OF LEBANON, NEW HAMPSHIRE

RESOLUTION 2026-XX

A RESOLUTION ESTABLISHING THE WELCOMING LEBANON POLICY TASK FORCE

WHEREAS, the City of Lebanon adopted the *Welcoming Lebanon Ordinance* in 2021 to affirm the City’s commitment to inclusiveness, equity, and public safety for all residents; and

WHEREAS, subsequent changes in state law, including House Bill 511 (2025) and Senate Bill 62 (2025), required revision of certain municipal policies and sections of the *Welcoming Lebanon Ordinance* relating to immigration enforcement and community trust; and

WHEREAS, the City Council wishes to ensure that Lebanon continues to be a welcoming and inclusive community for all residents while maintaining compliance with state and federal law; and

WHEREAS, the Council recognizes the importance of public input, equity analysis, and policy review in shaping the City’s approach to diversity, equity, inclusion, and civil rights;

NOW, THEREFORE, BE IT RESOLVED BY THE LEBANON CITY COUNCIL THAT:

Section 1. Establishment

There is hereby established a **Welcoming Lebanon Policy Task Force** (“the Task Force”) to review, evaluate, and recommend updates to the City’s policies, practices, and potential ordinances concerning inclusiveness, equity, and support for all residents, including immigrant and other vulnerable members of the community.

Section 2. Purpose and Scope

The Task Force shall:

1. Review the previous *Welcoming Lebanon Ordinance* and, if appropriate, recommend a replacement ordinance that complies with current state law while preserving the City’s commitment to inclusiveness and community trust.
2. Review and, if appropriate, recommend an updated or new *Resolution for Inclusiveness* to reaffirm the City’s values and support for all residents.
3. Evaluate current City policies and procedures, including those within the City Manager’s Office and Police Department, to identify opportunities to strengthen

protections against discrimination and bias, and recommend any necessary amendments.

4. Assess the feasibility and structure of a permanent **Diversity, Equity, and Inclusion (DEI) Subcommittee**, with potential charges including:
 - a. Supporting immigrant and marginalized community members in navigating local resources and services;
 - b. Serving as a complaint review and advisory body for discrimination concerns; and
 - c. Conducting regular equity analyses and reporting to the City Council with policy recommendations.

Section 3. Composition

The Task Force shall consist of **nine (9)** members, including:

- One member of the City Council;
- One representative from the City Manager's Office;
- One representative from the Lebanon Police Department;
- One representative from the Lebanon School District;
- One representative from a local nonprofit organization serving immigrant or marginalized communities;
- Four residents of Lebanon appointed by the City Council representing diverse backgrounds and perspectives.

The Mayor shall designate the Chair from among the appointed members.

Section 4. Meetings and Staff Support

The Task Force shall meet at least monthly and may establish working groups as needed. Administrative and staff support shall be provided by the City Manager's Office. All meetings shall comply with RSA 91-A (New Hampshire Right-to-Know Law).

Section 5. Reporting and Deliverables

The Task Force shall:

- Provide a **preliminary report** to the City Council by **June 30, 2026**; and

- Submit **final recommendations**—including any proposed ordinance or policy drafts, implementation steps, and recommendations regarding a permanent DEI Subcommittee—no later than **September 30, 2026**.

Section 6. Sunset

The Task Force shall dissolve automatically on **December 31, 2026**, unless extended by resolution of the City Council.

Section 7. Effective Date

This Resolution shall take effect upon passage.

DRAFT

CITY OF LEBANON
DIVERSITY, EQUITY & INCLUSION COMMISSION
December 16, 2025— 6:00pm
COUNCIL CHAMBERS, CITY HALL or
Remote Via Microsoft Teams: LebanonNH.gov/LIVE

MEMBERS PRESENT: Richard Ford Burley (Secretary); Keiselim Montas (Public Representative); Bise Wood Saint Eugene (Chair); Devin Wilkie (City Council Representative); Simone Whitecloud (Public Representative Alternate acting as Public Representative); Tia Winter (Vice-Chair)

MEMBERS ABSENT: Karen Zook (City Council Alternate)

STAFF PRESENT: City Manager Andrew Hosmer

1. CALL TO ORDER

The December 16, 2025 meeting of the Diversity, Equity & Inclusion Commission (DEI) was called to order by Chair Bise Wood Saint Eugene at 6:00 pm.

Chair Bise Wood Saint Eugene recognized Simone Whitecloud as Public Representative for the duration of the meeting.

Chair Saint Eugene gave a brief statement on the role of the Lebanon DEI Commission.

2. APPROVAL OF MINUTES

Minutes of October 21, 2025

A MOTION by Vice-Chair Tia Winter that the DEI Commission approve the minutes of the October 21, 2025 meeting of the DEI Commission as amended.

Seconded by Councilor Devin Wilkie.

**The Motion passed 5-0 with one abstention (Keysi was out of the room).*

3. OLD BUSINESS

No old business was discussed.

4. NEW BUSINESS

A. Drafting Proposed Statement to City Council Re: Repeal of Welcoming Lebanon Ordinance

Chair Saint Eugene briefly introduced the topic. Secretary Ford Burley introduced the text of a potential motion, which was then workshopped by the members of the Commission.

A MOTION by Richard Ford Burley that,

WHEREAS the Welcoming Lebanon Ordinance was voted on and democratically adopted by the residents of the City of Lebanon in March of 2020 and entered the City Code as Chapter 185, Welcoming Lebanon, in January of 2021, and

WHEREAS New Hampshire House Bill 511 and Senate Bill 62, the Anti-Sanctuary Act and the Anti-Sanctuary City Act, respectively, were signed into law by Governor Kelly Ayotte in May of 2025; and

WHEREAS these laws have made necessary and important parts of Lebanon's City Code Chapter 185, Welcoming Lebanon, illegal under state law, effective January 1, 2026; and

WHEREAS on November 5, 2025, the Lebanon City Council reluctantly voted to repeal Chapter 185, as the Anti-Sanctuary House and Senate Bills would have overridden any protections offered by it, and exposed the City to extensive fines and legal jeopardy; and

WHEREAS we cannot fault the City Council for taking this action, both to protect the interests of both the City as a whole, and to avoid the illusion of protection that would have been maintained by heavily modifying Chapter 185 of the City Code; and

WHEREAS participation in City governance and public life without fear is fundamental to democracy and representative of the values of the City of Lebanon; and

WHEREAS the members of Lebanon's Diversity, Equity, and Inclusion Commission recognize that the Commission is not a policy-setting body, but rather one whose role is to listen to impacted voices, ground our work in facts and lived experience, and provide thoughtful, constructive guidance to the City Council and the City's Administration; and

WHEREAS the Lebanon Diversity, Equity, and Inclusion Commission approaches this work with respect, clarity, and a commitment to the wellbeing of all who live and work and conduct business in Lebanon;

THEREFORE, the members of the Lebanon Diversity, Equity, and Inclusion Commission feel we must express our grave concern over the passage of these bills and over the actions they have forced the City Council to take; and

FURTHERMORE, the members of the Lebanon Diversity, Equity, and Inclusion Commission collectively urge the City Council to take whatever legal and appropriate actions remain

75 *available to protect at-risk members of Lebanon’s diverse and valuable community, in the face*
76 *of growing threats against them.*

77
78 *Motion Seconded by Tia Winter*

79 **The Motion passed 6-0*
80

81 **B. Discussion of Potential New Welcoming Lebanon Task Force**

82

83 Councilor Devin Wilkie introduced a plan to create a Task Force to address the repeal of City
84 Code Chapter 185, Welcoming Lebanon, that the Councilor is planning to bring to the City
85 Council at the first meeting of the new year. The hope is that the Task Force would potentially
86 replace Chapter 185, as well as to provide potential alternative actions the City could undertake
87 in response to its repeal. Commission members’ discussion focused on the potential makeup of
88 the Task Force membership, as well as timelines for goal-setting. A motion to support the
89 planned resolution followed.
90

91 *A MOTION by Richard Ford Burley*
92

93 *That (a) the Lebanon Diversity, Equity, and Inclusion Commission recommends the “Draft*
94 *Resolution Establishing the Welcoming Lebanon Policy Task Force” be adopted by the City*
95 *Council, and (b) that the Lebanon DEI Commission is pleased to offer its members as*
96 *potential representatives to fill some of the “Lebanon Resident” seats on said Task Force.*
97

98 *Seconded by Tia Winter*
99

100 **The Motion passed 6-0*
101
102

103 **C. Priorities and Goal Setting for 2026**

104

105 Commission Members suggested the following items as goals and priorities for 2026:

- 106 - Continue the Commission’s involvement in the yearly Pride festivities.
- 107 - Investigate the possibility of a mini conversation series on personal stories of cultural diversity
- 108 in Lebanon, either during Commission meetings or outside of them.
- 109 - Continue to engage in the City’s annual Strategic Plan updates, providing actionable items and
- 110 updated KPIs for existing goals.
- 111 - Continue to work with the planners of the Taste and Traditions festival.
- 112 - Work with neighboring communities on expanding the annual Juneteenth festival .
- 113
- 114

115 **5. OPEN TO THE PUBLIC**

116

117 No public comments were offered.
118

119 **6. OTHER BUSINESS**

120

121 No other business was discussed.

122

123 **7. FUTURE AGENDA ITEMS**

124

125 In January meeting:

126 - Review Strategic Plan to better support the City's annual process

127 - Annual election of officers

128

129 **8. OTHER BUSINESS**

130

131 No other business was discussed.

132

133 **9. ADJOURNMENT**

134

135 Chair Bise Wood Saint Eugene adjourned the meeting at 7:01pm.

136

137

138 Respectfully submitted,

139 Richard Ford Burley, DEI Commission Secretary

Agenda

Lebanon City Council

January 7, 2026

11. New Business:

11.D – Review and Discussion of LEAC Recommendation Concerning Refresh Policy for Lebanon Community Power

Background

New Hampshire law and Public Utility Commission (PUC) rules expect municipal electric aggregations operating as alternative default service providers (on an opt-out basis) to periodically notice and enroll new customers on utility default service into the municipal aggregation. This is necessary because new utility customers are automatically enrolled in utility default service, such as when homes or apartments turn over to new occupants with new accounts. Over the past year, the Community Power Coalition of New Hampshire (CPCNH) has not undertaken “refreshes” of new Liberty default service customers, meaning notice of planned enrollment of new utility customers on an opt-out basis into Lebanon Community Power has not occurred.

At its November 2025 meeting, the CPCNH Board of Directors approved a New Customer Refresh and Noticing Policy that provides for CPCNH to periodically undertake ‘refreshes’ of new customers, even if the CPCNH basic supply rates may be higher at the time than those of the utility. Subsequently, LEAC discussed the issue and ultimately approved a recommendation that Lebanon Community Power (LCP) should only refresh new customers when LCP’s basic rates are lower than those of the utility.

Clifton Below will be present on January 7th to further explain the refresh policy recommendations and to answer questions the Council or the public may have.

Action

The following motion is offered for City Council consideration:

MOVED, that the Lebanon City Council hereby adopts the Lebanon Community Power Customer Refresh Policy as recommended by LEAC and as presented in the January 7, 2026 City Council Agenda Packet, and incorporates the adopted Customer Refresh Policy into the City’s Electric Aggregation Plan as Attachment #11.

Included In This Section:

1. December 29, 2025 memorandum from Clifton Below, Lebanon Representative to CPCNH & City Council Representative to Lebanon Energy Advisory Committee (LEAC).



To: Lebanon City Council

From: Clifton Below, Lebanon Representative to CPCNH & City Council
Representative to Lebanon Energy Advisory Committee (LEAC)

Date: December 29, 2025

Subject: LEAC recommended “Refresh Policy” for enrolling new customers.

During its first 22 months of operation Lebanon Community Power (LCP) offered a lower “Granite Basic” electricity supply rate than Liberty Utilities’ default supply rate. However, starting in February of 2025, LCP’s Basic rates mostly exceeded Liberty’s (though not in every month for every rate class). This is expected to continue through July, or until the PUC authorizes Liberty to raise their default service rates to incorporate recovery of some \$4 million in prior period under-collections, which is a matter pending at the PUC.

Over the past year the Community Power Coalition of New Hampshire(CPCNH) has not undertaken “refreshes” of new Liberty default service customers, meaning notice of planned enrollment of new utility customers on an opt-out basis into Lebanon Community Power has not occurred. New Hampshire law and PUC rules expect municipal electric aggregations operating as alternative default service providers (on an opt-out basis) to periodically notice and enroll new customers on utility default service into the municipal aggregation. This is necessary because new utility customers are automatically enrolled in utility default service (such as when homes or apartments turn over to new occupants with new accounts).

At its November 6 2025 meeting the Board of Directors of CPCNH approved a “New Customer Refresh & Noticing Policy” that provides for CPCNH to periodically undertake “refreshes” of new customers, even if CPCNH basic supply rates may be higher at the time than those of the utility. The policy also provided that each member community could adopt other criteria for periodic refreshes that CPCNH would follow if adopted by the end of January 2026. At its November meeting LEAC discussed the issue and tentatively concluded that the City should only refresh new customers when LCP’s basic rates are lower than those of the utility and asked for a more detailed written proposal. James Mashal (Lebanon’s alternate representative to CPCNH) and myself worked up the following proposed policy and at its December 18 meeting LEAC voted unanimously to recommend that the Council adopt proposed policy and incorporate it into [Lebanon’s Electric Aggregation Plan](#).



City of Lebanon
LEAC Proposed Lebanon Community Power Customer Refresh Policy

To “refresh customers” means to enroll new electric utility customers into Lebanon Community Power (LCP) as an alternative default service provider, with 30 days advance mailed notice and the option to opt-out of becoming an LCP supply customer and instead remain on utility default service. When new residents and businesses begin electric utility service from Liberty Utilities, they are placed on utility default service for electricity supply, even though community power aggregations (CPAs) are also defined as default service providers under NH law. CPAs have to go through a “refresh” process detailed in Public Utility Commission rules.

In coordination and conformity with the Community Power Coalition of NH’s refresh policy and scheduling, Lebanon Community Power shall periodically refresh customers from utility default service by rate class whenever LCP’s lowest available rate for the respective rate class is lower than the utility’s default service rate at the time the refreshed customers are expected to begin service. No refreshes shall occur when LCP’s lowest available rates are expected to be higher than those of the utility, by rate class, during the month of enrollment, unless otherwise directed by the Lebanon City Council.

Suggested motion: **Moved, that the City Council adopt the Lebanon Community Power Customer Refresh Policy as recommended by LEAC and incorporate into the City’s Electric Aggregation Plan as Attachment 11.**

Attachments:

- 1) CPCNH’s New Customer Refresh Noticing & Enrollment Policy
- 2) CPCNH New Customers Information Sheet
- 3) CPCNH Announcement of Rates Effective February 1, 2026
- 4) CPCNH Rates & Liberty Utilities Default Service Rates February-July 2026



Date Adopted: November 6, 2025
Version: V3.2
Policy Name: New Customer Refresh Noticing & Enrollment Policy

See [New Customer Refresh Info Sheet](#) for background information.

Summary

The CEO or their designee, in consultation with the Portfolio Manager, is responsible for determining the timing and cadence of new customer refresh noticing and enrollment towards achieving the objectives of this policy.

Members may provide criteria to guide periodic refreshes for their aggregation program by governing body vote to amend their Electric Aggregation Plan. Such guidance should be developed in coordination with CPCNH staff to ensure operational feasibility.

New Customer Refresh Practice

In accordance with the legal, regulatory, and policy frameworks and requirements, CPCNH shall periodically conduct refresh noticing and enrollment of new customers.

The CEO or their designee, in consultation with the Portfolio Manager and Risk Management Committee, is responsible for determining the timing and cadence of new customer refresh noticing and enrollment towards achieving the objectives of this policy.

Upon adoption of this policy the CEO shall cause the Member Representatives and Principal Executive Officers of each Operating CPA to be notified of the policy adoption and provided access to review the policy.

Guidance for Next Customer Refresh (e.g., March 2026)

Before CPCNH conducts the next refresh, any Member may, through their Representative or Principal Executive Officer, notify the CEO by December 31, 2025 of their intent to amend their EAP or otherwise act to establish criteria for the frequency of future refreshes.

Members providing such notice shall have until January 31, 2026 to report any EAP amendment or other action to establish criteria for frequency of refreshes before CPCNH proceeds with the refresh.

Guidance for Subsequent Refreshes

After the first refresh, any Member adopting an EAP amendment or action establishing refresh frequency criteria shall provide the CEO with documentation of the governing body's action. CPCNH will apply such guidance beginning with refresh enrollments occurring four months after receipt (e.g., guidance received in February takes effect for June enrollments and beyond).

Portfolio and Financial Analysis

The Portfolio Manager is responsible for conducting an analysis of the portfolio and financial impacts of new customer refresh enrollments. The CEO will direct the Portfolio Manager to conduct such analyses to inform refresh practices, cadence, and timing.

The Portfolio Manager will advise the Risk Management Committee on the portfolio and financial impacts associated with new customer refreshes and may recommend adjustments to hedge levels accordingly.

Noticing and Enrollment

The Member Services Department is responsible for managing workflows and protocols for customer noticing and enrollment including but not limited to:

- Coordinating with CPCNH's Data Manager to prepare for and execute enrollments via Electronic Data Interchange (EDI).
- Requesting from utilities customer lists for noticing and relaying to the Data Manager.
- Managing print/mail vendors, workflow timelines, and digital/print copy and design.
- Requesting from utilities customer lists for enrollment and relaying to the Data Manager.
- Fielding customer escalations from the Contact Center.

Authority to Amend

This policy may be amended by majority vote of either the Board of Directors or the Membership at regular or special meetings of either body at which action to amend is properly noticed in accordance with CPCNH's Joint Powers Agreement and By-Laws.

Purpose & Objectives

The purpose of this policy is to detail CPCNH's approach to new customer refresh noticing and enrollment towards achieving the following objectives:

- **Compliance.** Comply with law, administrative rules, local policy, and CPCNH policy.
- **Clarity.** Clarify and create shared understanding among CPCNH's Members, Board, personnel, and customers and the choices available to them.
- **Financial Responsibility.** Ensure customer refresh enrollments ultimately produce beneficial financial impacts to CPCNH's Member Community Power Aggregations (CPAs) and their joint reserve funds.
 - Addition of new loads can be strategically timed and managed in coordination with portfolio management activities and market opportunities. Customer refreshes should have positive impact to Members' joint reserve accruals while spreading fixed costs over a larger customer base to benefit customers.

Context & Legal Framework

State Law: RSA 53-E

“New customer refreshes” are provided for under New Hampshire [RSA 53-E:7 – VI](#).¹

Administrative Rules: Puc 2205.05

Notification and enrollment of customers who apply for new electric service from their utility is further provided for under Administrative Rule [Puc 2205.05 New Utility Service Customers](#).²

Regulatory Compromise Results in Transaction Costs & Inefficiencies

Throughout 2021 and 2022, CPCNH played a leading role in drafting statutory and regulatory language governing CPAs. During the negotiations, multiple approaches to handling enrollments of new customers were considered including:

- 1) Directly enroll customers who apply for electric service into their default CPA program (as is done in certain other CPA markets); or
- 2) First, enroll customers who apply for electric service into utility default service to then be subsequently and periodically noticed and enrolled into their default CPA program.

¹ “New customers to the electric distribution utility after the notification mailing required by paragraph III shall initially be enrolled in utility provided default service unless the customer has relocated within a single utility’s service area and is continuing service with a competitive supplier or a municipal or county aggregation program. Upon request of an aggregator, but not more frequently than monthly and notwithstanding RSA 363:38 [Privacy Policies for Individual Customer Data], the utility shall make available to each operating municipal aggregation, or county aggregation where there is no municipal aggregation, the names, account numbers, mailing addresses, and any other information necessary for successful enrollment in the aggregation of customers that are new to or then currently on electric distribution utility provided default service after they have provided the customer list for the initial customer mailing required by paragraph III and that are located within the aggregation service area. The aggregation shall periodically mail a written notification to such new customers that have not previously opted out of the aggregator’s service and shall enroll them in the aggregation consistent with the opt-in or opt-out requirements of this paragraph and paragraph III.”

² [Puc 2205.05 New Utility Service Customers](#). (a) Electric customers who apply for new service provided by a utility within the CPA service area of a CPA providing opt-out alternative default service pursuant to RSA 53-E:7, III, after the supply of customer names and addresses by the utility for the customer notification mailing required under RSA 53-E:7, III, shall initially be enrolled in default service provided by the utility unless the customer has relocated within a single utility’s service area and is continuing with service provided by a CEPS, or has relocated within a CPA service area and is continuing with service provided by or through the CPA.

(b) Upon request of a CPA, but not more frequently than monthly following provision of the customer list for the initial mailing pursuant to Puc 2204.05, the utility shall make available to each operating municipal CPA, or county CPA where there is no municipal CPA, the names, account numbers, mailing addresses, and any other information necessary for successful enrollment in the aggregation of customers that are then currently on utility default service and are located within the CPA service area.

(c) The CPA shall periodically mail a written notification to such new customers that have not previously opted out of the CPA’s service and shall enroll them in the CPA consistent with the requirements of Puc 2204.05.

While option 1 has clear benefits of efficiency and reduction of costs that are ultimately born by customers, option 2 was enacted into rules to accommodate the insistence by certain utilities that option 1 could not be achieved by their business systems.

2025 Analysis of CPCNH attrition rates (rate of customer departure from CPCNH service) indicate that natural customer turnover (e.g., customers moving in/out of premises), not opt-outs, is the primary driver of attrition. Of the ~2,750/month reduction in customers observed between February and September 2025, less than 10% are due to opt-outs while the strong majority are due to natural customer turnover. Customers in this “natural attrition” category are eligible for refresh noticing and enrollment into CPA service.

Local Policy: Electric Aggregation Plans

Pursuant to RSA 53-E:6, a municipality may implement CPA service after local legislative body adoption of an “Electric Aggregation Plan” (EAP) providing for:

“Universal access, reliability, and equitable treatment of all classes of customers subject to any differences arising from varying opportunities, tariffs, and arrangements between different electric distribution utilities in their respective franchise territories, and shall meet, at a minimum, the basic environmental and service standards established by the commission and other applicable agencies and laws concerning aggregated service.”

An EAP providing for opt-out default service must also be submitted to and approved by the Public Utilities Commission to determine it conforms to state law and regulation.

EAPs of CPCNH Members detail whether energy supply services are offered on an opt-in basis or on an opt-out basis as an alternative default service, among other requirements. EAPs adopted by CPCNH Members and approved by the PUC typically include language to the effect of: *“The program will serve as the default electricity supplier for all [Eversource / Unitil / Liberty] customers on a default ‘opt-out’ basis.”*

Once adopted, an aggregation plan and program may be amended and modified from time to time as provided by the governing body of the municipality or county (RSA 53-E:7 – IX).

Most Member EAPs providing for opt-out default service simply state that after initial launch new utility default service customers will be periodically enrolled on an opt-out basis after 30 days’ advance mailed notice, without providing any additional criteria to guide the frequency of such periodic refreshes.

Discussion

State law, administrative rules, and local policy under EAPs make clear that opt-out CPAs are the default electricity supplier and shall periodically notify and enroll new utility customers. The provision that the notification and enrollment be done “periodically” provides for flexibility.



On Thursday, December 18, 2025, the CPCNH Board of Directors approved a rate adjustment that will go into effect starting February 1, 2026. Granite Basic rates will be set between 14.0 and 14.9 ¢/kWh, depending on customer utility and rate classes. Rates are based upon CPCNH cost of service, including a community reserve adder sufficient to retire financing obligations in calendar year 2026. Retiring financing obligations and building community reserves will position local programs through CPCNH to advance their competitiveness for years to come.

“Community Power rates transparently reflect the organization's cost requirements to serve our communities,” said CPCNH Board Chair Kimberley Quirk. “Our commitment to enhancing community joint reserves will help position CPCNH to continue to realize the long-term value of community power, which is rooted in local decision-making and developing a more resilient energy future. The vision of Community Power is a marathon, not a sprint, and CPCNH will continue to support our communities with the benefits that come from enhanced local control, customer choice, market innovation, project development, and public advocacy.”

CPCNH is controlled by its members and makes our state more energy independent. Through our public power agency, members are seeing the benefits of developing local projects like the [5-megawatt Poverty Plains community solar array in Warner](#) (equivalent to ~1,200 households) scheduled to come online in 2026. Development of locally controlled energy assets enables long-term stability, cost savings, and greater energy security.

Electric customers in NH have more choice today than ever before. Customers are free to choose between Community Power, third-party options, or their utility. To opt in, out, or to select cleaner power, customers can:

- Use our [online portal](#), located at communitypowernh.gov
- Call 1-866-603-7697 (POWR) or email Info@CommunityPowerNH.gov

Visit CPCNH's [Residential Rates](#) and [Commercial Rates](#) webpages to view rate options.



CPCNH Rates & Liberty Utilities Default Service Rates in cents per kilowatt-hour for February -July 2026

Sector	Utility	Supply Class	FEB	MAR	APR	MAY	JUN	JULY
Residential	Liberty	D, M, T	13.735					
	CPCNH	Granite Basic	14.637					
	CPCNH	Granite Plus	15.037					
	CPCNH	Clean 50	15.737					
	CPCNH	Clean 100	17.637					
General Service (non-residential) & Outdoor Lighting	Liberty	G3, V, M, LED	13.735					
	CPCNH	Granite Basic	14.016					
	CPCNH	Granite Plus	14.416					
	CPCNH	Clean 50	15.116					
	CPCNH	Clean 100	17.016					
Medium Commercial (non-residential)	Liberty	G2	18.504	12.179	11.104	10.805	11.524	12.768
	CPCNH	Granite Basic	20.180	13.059	10.935	10.354	11.384	13.694
	CPCNH	Granite Plus	20.580	13.459	11.335	10.754	11.784	14.094
	CPCNH	Clean 50	21.280	14.159	12.035	11.454	12.484	14.794
	CPCNH	Clean 100	23.180	16.059	13.935	13.354	14.384	16.694
Large Commercial & Industrial	Liberty	G1	18.504	12.179	11.104	10.805	11.524	12.768
	CPCNH	Granite Basic	20.988	13.974	11.794	11.180	12.142	14.212
	CPCNH	Granite Plus	21.388	14.374	12.194	11.580	12.542	14.612
	CPCNH	Clean 50	22.088	15.074	12.894	12.280	13.242	15.312
	CPCNH	Clean 100	23.988	16.974	14.794	14.180	15.142	17.212

Note: Liberty's default service rates may increase before August 1, 2026 if and when the PUC authorizes recovery of up to \$4 million in prior period under collection of default service costs in PUC docket # [DE 25-030](#).

Agenda

Lebanon City Council

January 7, 2026

11. New Business:

11.E – Review and Set Public Hearings for January 21, 2026 and February 4, 2026: Proposed Zoning Amendments for 2026 Municipal Ballot and for Council Adoption

Background

At its meeting on October 1, 2025, the City Council was presented with a number of proposed amendments to the Zoning Ordinance, including amendments intended to achieve compliance with recent state legislation; map and text amendments derived from the Route 120 Corridor study; amendments recommended by various boards and committees, as well as by Planning Department staff; and other amendment proposals submitted by petition.

The Council acted to accept the amendments as presented and forwarded them for review and comment by the Planning Board, Conservation Commission, and Zoning Board of Adjustment as required by Section 1000 of the Zoning Ordinance. Legal review has been obtained, and all land use boards have completed their review.

The purpose of this meeting is to present the final version of the proposed amendments to be considered by the City Council at upcoming public hearings. All of the proposed amendments are addressed in the attached memoranda drafted by Planning & Development Department staff. The legal opinions, along with excerpts of land use boards' meeting minutes, are also attached for your review.

One proposed amendment (Amendment #17) has been determined to require a referendum vote pursuant to Section 1000.4.A of the Zoning Ordinance. As such, the City Council must hold a public hearing prior to January 31st to decide whether or not place that particular amendment on the March 10, 2026 municipal ballot. All other proposed amendments may be approved by the City Council, though the Council has the authority to place any of the proposed amendments on the ballot, including those that are within the Council's purview.

Due to the number of proposed amendments, the Planning and Development Department recommends breaking the amendments into two groups and scheduling separate public hearings for each group. Public hearings pursuant to Section 1000.3.D of the Zoning Ordinance are requested for January 21, 2026 and February 4, 2026 as described in the Planning Department's overview memo.

Once the proposed amendments are finalized, they will be posted as part of the public hearings. Once posted, all applications to the Land Use Boards and all Building/Zoning Permit applications will be subject to the provisions of both the existing Zoning Ordinance and the proposed amendments. The proposed amendments will be posted by January 9, 2026.

Action

If the Council decides to move forward with the proposed zoning amendments, the following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby schedules public hearings for Wednesday, January 21, 2026, 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:

- 1. Place proposed Amendment #17 (Definition of "Care and Treatment of Animals") on the March 10, 2026 Municipal Ballot for consideration by voters; and***
- 2. To adopt certain amendments to Ordinance #2, the City of Lebanon Zoning Ordinance and Zoning Map, including proposed amendments #1-4, #11-12, and #18-21, as fully described in the January 7, 2026 City Council Agenda Packet.***

BE IT FURTHER MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, February 4, 2026, beginning at 7:00pm, in Council Chambers, City Hall, and Remote via the City's Virtual Platform, for the purpose of receiving public input and taking action to adopt certain amendments to Ordinance #2, the City of Lebanon Zoning Ordinance and Zoning Map, including proposed amendments #5-10, #14-16, and Petitioned Amendments #1-3, as fully described in the January 7, 2026 City Council Agenda Packet.

Included In This Section:

1. Memo titled "2025-2026 Proposed Zoning Amendments Schedule", dated December 23, 2025, including the following:
 - a. "Proposed Zoning Amendments 1-4: State Legislative Updates", dated December 22, 2025.
 - b. "Proposed Zoning Amendments 5-10: Route 120 Corridor", dated December 23, 2025.
 - c. "Proposed Zoning Amendments 11-13: City Board, Commission, Committee Sponsored Amendments", dated December 23, 2025.
 - d. "Proposed Zoning Amendments 14-16: Text Amendments", dated December 23, 2025.
 - e. "Proposed Zoning Amendments 17-20: Misc & Technical Amendments", dated December 23, 2025.
 - f. Summary of Lebanon Conservation Commission Review and Comment, and minutes of land use board meetings, and October 27, 2025 opinion letter from Attorney Matthew Decker.
 - g. "Proposed Zoning Amendment 21: Electric Vehicle, Section 607.8", dated December 23, 2025, including December 3, 2025 opinion letter from Attorney Matthew Decker.
 - h. "2025-2026 Petitioned Amendments 1 and 2", dated December 23, 2025.
 - i. "2025-2026 Petitioned Amendment 3: IND-L Use Table Addition", dated December 23, 2025, including October 24, 2025 opinion letter from Attorney Matthew Decker.
2. December 22, 2025 letter from Miriam Voran, opposing Amendments #5, 7, and 8.
3. December 22, 2025 letter from Dan Nash, opposing Amendment #6 as proposed.
4. December 22, 2025 letter from Dan Nash, additional support for Petitioned Amendment #2.



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Honorable Mayor and Lebanon City Council

FROM: Planning and Development Department Staff

RE: 2025-2026 Proposed Zoning Amendments Schedule

DATE: December 23, 2025

City of Lebanon Planning and Development Department has prepared 19 amendments for City Council to review and set for public hearing. On top of these City sponsored amendments, there are 3 additional petitioned amendments that will also require public hearings. At the request of City Council, Planning staff have prepared to break the amendments into two groups and have them heard at separate Council meetings, January 21st and February 4th.

Changes since Council ordered the Amendments to the Land Use Boards include the withdrawal of Amendment 13 and Petitioned Amendment 4, both proposing changes to the EV Regulations. Amendment 21 passed by the EV Task Force proposes changes to the EV Regulations and replaces the now withdrawn LEAC Amendment 13 and Petitioned Amendment 4.

City Staff recommends Council moving forward with the proposed public hearing schedule.

January 21st Amendments:

1. State Legislative Updates:
 - a. **Amendment 1:** HB1361: Manufactured Homes
 - b. **Amendment 2:** HB631: Multifamily Residential
 - c. **Amendment 3:** HB284: Residential Parking Requirements
 - d. **Amendment 4:** HB577: ADUs
2. City Board, Commission, Committee Sponsored Amendments
 - a. **Amendment 11:** Section 408: Historic District (Heritage Commission Sponsored)
 - b. **Amendment 12:** Mobile Food Service Vending Ordinance (Food Truck Task Force)
3. Misc & Technical Amendments
 - a. **Amendment 17:** Definition of **Care and Treatment of Animals** broken down & change of corresponding use tables. (*Ballot Initiative Required)
 - b. **Amendment 18:** Section 1000
 - c. **Amendment 19:** Definition of **Lot** & Definition of **Agriculture**
 - d. **Amendment 20:** Changes to Impact Fees
4. Electric Vehicles

- a. **Amendment 21:** EV Regulation reforms Section 607.8 (Electric Vehicles Regulations Task Force)

February 4th Amendments:

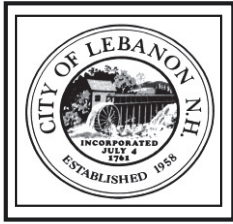
- 1. Map Amendments and corresponding text amendments:
 - a. **Amendment 5:** Centerra/Altaria
 - b. **Amendment 6:** Conservation Area
 - c. **Amendment 7:** LaBombard Road
 - d. **Amendment 8:** Heater Road
 - e. **Amendment 9:** Wildlife Corridor Map and Text
 - f. **Amendment 10:** Northern Lebanon Use Tables & Text Amendments
- 2. Text Amendments
 - a. **Amendment 14:** Section 608: Signs; Definitions: Window Signs & regulatory streamlining
 - b. **Amendment 15:** Section 411: Pattern Zones Overlay District
 - c. **Amendment 16:** Section 509: Cottage Cluster Developments
- 3. Petitioned Amendments
 - a. **Petitioned Amendment 1: Map Amendment** Rezoning of Parcels along Old Pine
 - i. Tree Cemetery Rd from RL-2 to R-3. Representative: Dan Nash, PE
 - b. **Petitioned Amendment 2: Map Amendment** Rezone Parcel 26-2 on Etna Road
 - i. from IND-L and RL-3 to GC-1. Representative: Dan Nash, PE
 - c. **Petitioned Amendment 3:** Change of Light Industrial Use Table: Addition of
 - i. "Vehicular Repair" to IND-L. Representative: Chip Brown

*Amendments Requiring Referendum Vote:

The City of Lebanon Zoning Ordinance lays out specific criteria that determine if a zoning amendment requires a referendum vote.

"Amendment of the Zoning District Boundaries Requiring Referendum Vote: Any amendment which alters the zoning map in such a way as to change the zoning district designation of any area which is within the R-1, R-2, R-3, RL-1, RL-2 or RL-3 districts, and whose size exceeds ten times the minimum lot size for a Class 3 lot for the respective district as currently zoned, or which alters the Article III Table of Uses which are permitted or allowed by special exception or conditional use permit, or which alters the Table of Area, Dimensions and Coverage, for one or more of the above-listed districts, shall be placed on the ballot at the annual City election in March. This paragraph shall not apply to textual changes in the zoning ordinance which do not alter the boundaries or districting shown on the zoning map and which do not alter the Article III Tables of Uses or alter the Table of Area, Dimensions and Coverage, applicable to those districts." (City of Lebanon Zoning Ordinance, Section 1000.4A)

City staff have determined that a portion of Amendment 17, Definition of **Care and Treatment of Animals** broken down & change of corresponding use tables, meets the criteria. There are changes to the Use Table in the Rural Lands Zoning Districts.



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Planning and Development Department Staff

RE: Proposed Zoning Amendments 1-4: State Legislative Updates

DATE: December 22, 2025

These proposed amendments were presented to Council at the October 1, 2025 meeting. The proposed amendments were sent to further review to the Land Use Boards, Planning Board, Zoning Board of Adjustment, and Conservation Commission, pursuant to the process outlined in Section 1000 of the Zoning Ordinance. As well as being reviewed at public land use board meetings, Planning Staff also held two public information sessions on December 2nd at City Hall, and December 16th at the Kilton Library.

Zoning Amendments 1-4 are the result of State Legislative Updates. The purpose of these 4 amendments is to bring Lebanon's Zoning Ordinance into Legal compliance with State Legislative mandates.

Staff proposes that the State Legislative Updates group public hearing be held by Council at the January 21, 2026 City Council Meeting.

Amendment 1: HB1361

This bill requires municipalities to provide reasonable and realistic opportunities for the siting of manufactured housing on individual lots, manufactured housing parks, and subdivisions with residential districts.

City of Lebanon Planning Staff is proposing changes to Section 209 "Manufactured Housing" to bring Lebanon into compliance.

Amendment 2: HB631

This bill requires municipalities to allow multi-family residential development on commercially zoned land, if there is infrastructure in place to support it.

In Lebanon, the only commercial zoning district that was not in compliance was Medical Center District (MC). This amendment is simply adding **Multi-Family Residential** to the MC Use Table under "Uses by **Conditional Use Permit**" (Section 315.2).

Amendment 3: HB284

This bill requires municipalities to reduce the minimum parking requirements for a dwelling unit to one space per unit. This change also requires Lebanon to changes the maximum parking spaces allowed.

In the current zoning ordinance, Lebanon required 2 spaces per detached and attached single-family dwelling, and 1.5 spaces per 1-bedroom+ apartment. These will be reduced to 1 space per

unit. City Staff is proposing the maximum off-street parking for residential uses be capped at 200%. During conversation with the Planning Board, it was recommended to change the maximum or remove the maximum for single-family structures because more parking may be needed and leave the 200% maximum in place for multi-family developments. The single-family and two-family exemption proposed by the Planning Board is shown in blue on the draft amendment.

Amendment 4: HB577

Staff is proposing changes to Section 610 “Accessory Dwelling Unit (ADU)” to come into compliance with State statute. This bill requires municipalities to allow ADU’s by right in any zoning district with a one-family or two-family dwelling is allowed, as well as making changes to make it easier for a property owner to construct one. Also, definitions will be added to Appendix A Definitions.

Approval Procedure:

As drafted, the proposed Council Amendments will not alter the zoning district designations or alter the Table of Uses or the Table of Area, Dimensions, and Coverage for a Residential or Rural Lands zoning districts within the City. As a result, no referendum vote is required for the proposed Council Amendments pursuant to Section 1000.4.A

Adoption of the proposed Council Amendments is recommended at this time in accordance with the procedures outlined in Section 1000.4.B as follows:

Article X, 1000.4 Action Upon Proposed Zoning Amendments.

Any proposed zoning amendment shall be acted upon and adopted or rejected as follows:

B. Action by the Council: The Council shall act on any proposed Zoning amendment not requiring a referendum vote in which case adoption of the Zoning Amendment shall require a majority vote of five members of the City Council: or alternatively, the Council may decide that such an amendment shall be submitted to the voters at the annual City election, even though such a referendum is not required.

Included in this packet:

1. State Legislative Updates:
 - a. **Amendment 1**: HB1361: Manufactured Homes
 - b. **Amendment 2**: HB631: Multifamily Residential
 - c. **Amendment 3**: HB284: Residential Parking Requirements
 - d. **Amendment 4**: HB577: ADUs
2. Comments and Minutes from the Land Use Board’s Zoning Amendment Reviews
3. Legal Opinion Letter

Amendment 1

Manufactured Homes

From: State Law Changes – 2024 HB 1361

1 The amendment is necessary to be in compliance with changes in State statute 2024 HB 1361.

2 State Change:

3 2024 HB 1361 – Manufactured Homes

4 This bill requires municipalities that adopt land use control measures to provide reasonable and
5 realistic opportunities for the siting of manufactured housing on individual lots and in
6 manufactured housing parks and subdivisions within residential districts. The bill also directs
7 municipalities to provide reasonable and realistic opportunities for expansion of existing
8 manufactured housing parks.

9
10 1 Local Land Use Planning and Regulatory Powers; Manufactured Housing. RSA 674:32, I is
11 repealed and reenacted to read as follows:

12 I.(a) Municipalities shall afford reasonable and realistic opportunities for the siting of
13 manufactured housing as required in subparagraph

14 (b) and a municipality shall not exclude manufactured housing completely from the
15 municipality by regulation, zoning ordinance or by any other police power.

16 (b) A municipality that adopts land use control measures shall allow, in its sole discretion,
17 manufactured housing to be located:

18 (1) On individual lots in most, but not necessarily all, land areas and lots in districts
19 zoned to permit residential uses within the municipality; or

20 (2)(A) In manufactured housing parks, as defined in RSA 205-A:1, II, in most, but
21 not necessarily all, land areas and lots in districts zoned to permit residential uses
22 within the municipality; and

23 (B) In subdivisions created for the placement of manufactured housing on
24 individually owned lots in most, but not necessarily all, land areas and lots in
25 districts zoned to permit residential uses within the municipality; or

26 (3) In all 3 types of locations.

27 (c) Manufactured housing located on individual lots pursuant to subparagraph (b)(1) shall
28 comply with lot size, frontage requirements, space limitations and other reasonable
29 controls that conventional single-family housing in the same district must meet. No special
30 exception or special permit shall be required for manufactured housing located on
31 individual lots pursuant to subparagraph (b)(1) or manufactured housing subdivisions
32 pursuant to subparagraph (b)(2)(B) unless such special exception or permit is required by
33 the municipality for single family housing located on individual lots or in subdivisions.

34 (d) Municipalities permitting manufactured housing parks pursuant to subparagraph
35 (b)(2)(A) shall afford reasonable and realistic opportunities for their development. In order
36 to provide such opportunities, lot size and overall density requirements for manufactured
37 housing parks shall be reasonable and realistic.

38 (e) Municipalities shall allow reasonable and realistic opportunities for the expansion of
39 manufactured housing parks existing as of July 1, 2024. For expansion of existing
40 manufactured housing parks, municipalities shall not require standards stricter than NFPA
41 501A, "Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and
42 Communities".

Amendment 1

Manufactured Homes

From: State Law Changes – 2024 HB 1361

Proposed Zoning Changes:

SECTION 209 MANUFACTURED HOUSING.

Manufactured housing units are permitted only in manufactured housing parks or in manufactured housing PURDs. See Section 503 (“MANUFACTURED HOUSING PARKS”) and Section 504 (“MANUFACTURED HOUSING PURDs”). Manufactured Housing Units shall also be allowed in zoning districts that allow one-family dwellings with the following conditions if they are not part of a Park or PURD:

1. The Manufactured housing unit shall be a one-family dwelling
2. The Manufactured housing unit shall be on a foundation
3. A manufactured housing unit shall not be used an as ADU
4. Design elements such as landscaping, porches, pitched roofs, and stone or bricks accents are encouraged
5. The manufactured housing unit shall follow all setbacks, parking, and regulations of the zoning district.
6. Manufactured housing units are not eligible for the Pattern Zones Overlay District zoning enhancements.

Amendment 2

Multi-family Residential Development

From: State Law Changes – 2025 HB 631

1 The amendment is necessary to be in compliance with changes in State statute HB 631.

2
3 HB 631 requires municipalities to allow multi-family residential development on commercially
4 zoned land, provided that adequate infrastructure for roads, water and sewerage systems are
5 available to support that development. Municipalities may still restrict residential development in
6 zones where industrial and manufacturing uses are permitted. Nevertheless, municipalities may
7 require that ground floor space in the commercial zone property may be required to be
8 dedicated in whole or in part to retail or similar uses. Where an existing building is being
9 repurposed to adaptive reuse for residential purposes, municipalities shall afford exemptions to
10 setbacks, height or frontage of a building, provided these dimensional elements do not change.
11 When implementing this new mandate locally, the definitions in the statute must be adhered to
12 in determining whether the proposed use must be permitted; however, municipalities are not
13 required to update their zoning ordinances with these definitions.

14 The City of Lebanon already allows for multi-family residential development in all impacted
15 zoning districts except for the MC district. MC is limited in area within the city and contains the
16 DHMC main campus. A code change for the MC district will resolve the State mandated
17 changes. The proposed use code change is as follows:

Amendment 2

Multi-family Residential Development

From: State Law Changes – 2025 HB 631

SECTION 315 MEDICAL CENTER DISTRICT (MC).

315.2 Table of Uses.

<u>Permitted Uses</u>	<u>Uses by Special Exception</u> (see Section 801.3)
	1. Recovery Houses
	<u>Uses by Conditional Use Permit</u> (see Section 302.4)
<u>Commercial/Non-Residential</u> Essential service Group day care facility per Section 604 Health club Hospice Medical center complex per Section 506 - Medical office building Medical research facility Renewable energy system per Section 612 Retail product pickup	<u>Commercial/Non-Residential</u> Drive-through facility Financial institution Inpatient rehabilitation facility Motel Hotel Office Parking facility Personal service Restaurant Retail store Multi-Family Residential <u>Planned Developments</u> Commercial PUD per Section 501

Amendment 3

Residential Parking Minimums / Maximums

From: State Law Changes – 2025 HB 284

The amendment is necessary to be in compliance with changes in State statute HB 284. The legislature and the governor are reducing the minimum parking requirements for a dwelling unit to one space per unit. The reduction in the minimum required also triggers the need to change the maximum parking spaces allowed as well.

SECTION 607 PARKING.

607.1 Table of Minimum Off-Street Parking Requirements.

- A. Except as otherwise provided below, a **lot** shall provide the minimum number of **off-street parking spaces** as set forth in the following "Table of Minimum Off-Street Parking Requirements." For uses not listed in the table, the minimum requirement shall be that of the closest similar use as determined by the Zoning Administrator.
- B. The minimum number of required **off street parking spaces** for **lots** with more than one principal use shall be determined per Section 607.6 ("Shared Parking").
- C. The minimum number of required off-street parking spaces for **accessory uses** shall be calculated separately from the principal use where the minimum parking requirement for the **accessory use** is less than that required for the **principal use**.
- 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)

<u>TYPE OF USE</u>	<u>UNITS OF MEASUREMENT</u>	<u>PARKING SPACES PER UNIT (I.E. RATIO)</u>
RESIDENTIAL		
Dwelling, One-family/Two-family detached and attached	Dwelling units	1.02.0
Dwelling , Studio Apartment	Dwelling units	1.0
Dwelling , Apartment, One-bedroom and up	Dwelling units	1.04.5
Senior Housing	Dwelling units	1.0

Amendment 3

Residential Parking Minimums / Maximums

From: State Law Changes – 2025 HB 284

<u>TYPE OF USE</u>	<u>UNITS OF MEASUREMENT</u>	<u>PARKING SPACES PER UNIT (I.E. RATIO)</u>
<i>Group residence</i>	Residents	0.33
<i>Lodging house</i>	Rental units	2.0 base + 1.0/bed
<i>Cottage Development</i>	<i>Cottage</i>	1.0
INSTITUTIONAL, ETC.		
<i>Medical center complex</i>	<i>Gross floor area</i>	1.0/425 sq. ft.
Hospital, <i>nursing home</i>	Beds & Employees on largest shift	0.33/bed & 0.33/employee
Houses of worship and other places of public assembly (i.e. theaters, auditoriums, recreational facilities, conference or meeting facilities and the like.)	Seats or <i>gross floor area</i> of assembly area if no seats	0.33/seat or 1/20 sq. ft.
Group day care	Employees and clients	1.0/employee & 1.0/8 clients
<i>Membership club</i>	<i>Gross floor area</i>	1/300 sq. ft.
SCHOOLS		
Elementary, Jr. High	Classrooms	3.0
Senior High	Classrooms	5.0
Post secondary and Voc-Ed	<i>Gross floor area</i>	1/300 sq. ft.
COMMERCIAL		
<i>Motel, hotel</i>	Rental Units	1.2 plus <i>restaurant</i> component, if applicable.
<i>Tourist home</i> , bed and breakfast	Rental units	2.0 (base) + 1.0 per unit plus <i>restaurant</i> component, if applicable.
<i>Restaurant</i>	Seats	0.33
Bowling alleys	Lane	4.0
<i>Office</i>	<i>Gross floor area</i>	1.0/250 sq. ft.
Retail	<i>Gross floor area</i>	1.0/200 sq. ft.
Retail- e.g. convenience store, bakery, take-out food establishments	<i>Gross floor area</i>	1.0/200 sq. ft.
<i>Personal service</i>	<i>Gross floor area</i>	1.0/250 sq. ft.
Banks	<i>Gross floor area</i>	1.0/250 sq. ft.

Amendment 3

Residential Parking Minimums / Maximums

From: State Law Changes – 2025 HB 284

<u>TYPE OF USE</u>	<u>UNITS OF MEASUREMENT</u>	<u>PARKING SPACES PER UNIT (I.E. RATIO)</u>
Furniture store, major appliance store, carpet store, vehicular sales , nursery, greenhouses	Gross floor area	1.0/600 sq. ft.
Automotive services (i.e. repair facilities, tire sales and mounting)	Service bays	4.0/Bay
Funeral home	Gross floor area in assembly rooms	1.0/75 sq. ft.
Other commercial	Gross floor area	1.0/600 sq. ft.
Alternative Treatment Center	Gross Floor Area	1.0/250 sq. ft.
Alternative Treatment Center (Cultivation Location Only)	Gross Floor Area	1.0/600 sq. ft.
INDUSTRIAL		
Warehouse (includes self-storage) and truck/ bus terminal	Gross floor area	1.0/1,000 sq. ft.
Light industry & Research lab	Gross floor area	1.0/600 sq. ft. or 1.0/employees for the largest shift (whichever is larger)
Outdoor storage and sales	Gross area of storage/sales	1.0/2,000 sq. ft.

607.2 Reduction of Minimum Required Parking Spaces.

The Planning Board may allow by **conditional use** permit a reduction of up to 30% in the number of **off-street parking spaces** required to be built, provided an area is reserved on the approved site plan to accommodate the minimum number of required **off-street parking spaces** should they become necessary in the future. The construction of any unbuilt parking spaces shall be reviewed and approved by the Planning Board as a modification of the approved site plan.

607.3 Maximum Off-Street Parking Requirement.

A. The maximum off-street parking allowed is 120% of the minimum requirement set forth in Section 607.2. (For example, if a use or development is required to have 100 **off-street parking spaces**, then the maximum allowed for that use or development is 120 **off-street parking spaces**.) ~~The maximum parking requirement shall not apply to one-family and two-family dwellings.~~

Amendment 3

Residential Parking Minimums / Maximums

From: State Law Changes – 2025 HB 284

The maximum off-street parking allowed for multi-family residential uses is 200% of the minimum requirement set forth in **TABLE OF MINIMUM OFF-STREET PARKING REQUIREMENTS**. One Family, Two Family and ADUs are exempt from the maximum off-street parking requirement.

B. Off-street parking in excess of 120% but not more than 150% of the minimum requirement for commercial or mixed-use properties set forth in Section 607.2 may be permitted as set forth below.

1) The following categories of parking spaces shall not be counted towards the 120% maximum set forth in subsection A, but shall be subject to the 150% cap set forth in subsection B:

- a. Spaces provided within a **parking structure**.
- b. Spaces dedicated for vehicles participating in a carpool, vanpool, or car-share program. Such spaces shall be reserved and used only for carpool, vanpool, or car-share program parking, and shall be signed or marked accordingly.

2) For spaces other than those described in subsection B.1), the Planning Board may approve parking in excess of the 120% maximum set forth in subsection A by **conditional use** permit provided that the following criteria are met:

- a. The need for additional parking cannot reasonably be met through provision of on-street parking or shared parking with adjacent or nearby uses;
- b. The proposed development demonstrates that its design and intended uses will continue to support high levels of existing or planned transit and pedestrian activity; and,
- c. The site plan indicates where additional parking can be redeveloped to a more intensive transit supportive use in the future.
- d. In no case shall the Planning Board approve parking for any use or development that exceeds 150% of the minimum requirement as set forth in Section 607.2.

C. Exception. The maximum parking requirements set forth in subsections A and B shall not apply to any change of use within an existing **building** which does not require Site Plan review or where no additional parking spaces are proposed or required per Section 607.1.

607.4 CB, LD and PB Parking.

Uses in the CB District, LD District, and the PB District are subject to the maximum off-street parking requirements of Section 607.3, but are exempt from the minimum off-street

Amendment 3

Residential Parking Minimums / Maximums

From: State Law Changes – 2025 HB 284

parking requirements of Section 607.1 because of the availability of public parking. However, parking requirements in these districts shall be as required by the Planning Board through its Site Plan Review of new uses or changes or expansion of use.

607.5 Off-Lot Parking.

Parking shall be provided on the same **lot** as the use for which the parking is accessory, except as follows:

A. In the IND-L, IND-H, IND-RA, GC, GC-1, CB, LD, RO, RO-1, PB, and MC Districts, the Planning Board may approve private off-lot parking as a **conditional use** permit. Instead of the findings required by Section 302.4, the Board shall determine that:

1. The minimum number of required **off-street parking spaces** as calculated pursuant to Section 607.1, and per Section 607.4 for developments in the CB, LD, and PB Districts, cannot feasibly be accommodated on-site.
2. The off-lot use to be served is an allowed use in the zoning district in which the off-lot parking area will be located.
3. The off-lot parking area is in an appropriate location for the use served by the parking and will not be detrimental to abutting properties.
4. Such parking arrangements are either permanently deeded and recorded or conveyed by an irrevocable 99-year lease or some other legal instrument, acceptable to an attorney representing the City, and submitted with the Conditional Use Permit application for approval by the Planning Board. Such legal agreement shall ensure that such parking arrangement will remain as long as the need exists.
5. The off-lot parking will not constitute a hazard to traffic or pedestrians.

B. For conversions of **one- or two-family dwellings** to **multi-family dwellings** or where adding additional **dwelling units** to an existing **multi-family dwelling**, the Planning Board may approve private off-lot parking, as a **conditional use** permit. Instead of the findings required by Section 302.4, the Board shall determine that:

1. The minimum number of required **off-street parking spaces** cannot feasibly be accommodated on-site.
2. The off-lot parking area is on a lot that is (i) adjacent to the **dwelling** involved, and (ii) located in a zoning district that allows **multi-family dwellings** to the same extent as allowed in the zoning district where the **multi-family dwelling** is located.

Amendment 3
Residential Parking Minimums / Maximums
From: State Law Changes – 2025 HB 284

- 139
- 140 3. The off-lot parking area is appropriately screened from abutting properties.
- 141
- 142 4. The off-lot parking will not be detrimental to abutting properties.
- 143
- 144 5. Such parking arrangements are permanently and irrevocably deeded and
- 145 recorded or conveyed by an irrevocable 99-year lease or some other legal
- 146 instrument, acceptable to an attorney representing the City, and submitted
- 147 with the Conditional Use Permit application for approval by the Planning
- 148 Board. Such legal agreement shall ensure that such parking arrangement
- 149 will remain as long as the need exists.
- 150
- 151 6. The off-lot parking will not constitute a hazard to traffic or pedestrians

Amendment 4

Accessory Dwelling Unit

From: State Law Changes – 2025 HB 577

The amendment is necessary to be in compliance with changes in State statute HB577.

SECTION 610 ACCESSORY DWELLING UNIT (ADU).

Accessory dwelling units are intended as an option for homeowners to offer separate and independent living space for their extended families, or to offer small **dwelling units** as rentals to offset the expense of maintaining the **dwelling**.

An **accessory dwelling unit** shall comply with the following criteria:

A. An **ADU** is allowed on any **lot** in any zoning district with a **one-family dwelling or two-family dwelling**. ~~For lots in any zoning district with a two-family dwelling, a detached or attached ADU is allowed.~~ Only one such **ADU** is permitted per **lot**. The dwelling unit density requirements of the underlying zoning district shall not apply to ADUs.

B. ~~If attached, the appearance and character of the existing or proposed ADU shall remain single family in nature if converting a one-family dwelling to a one-family dwelling with an ADU, and shall remain two-family in nature if converting a two-family dwelling to a two-family dwelling with an ADU. If detached, the A detached~~ **ADU** shall maintain the primary building's architectural style, proportional mass, size, and height to ensure it is not taller than the principal building on the lot. A **detached ADU** may be permitted to be taller than the principal building by **special exception**.

C. The property owner must occupy one of the **dwelling units** as their permanent residence. A temporary leave of absence of no more than one (1) year by the property owner is allowed, provided the owner-occupied unit is not rented or occupied by anyone other than the property owner during the temporary leave or absence.

Prior to the issuance of a zoning permit, the owner shall record in the Grafton County Registry of Deeds an Accessory Dwelling Unit Owner Occupancy Restriction, in a form satisfactory to the Zoning Administrator, in order to put prospective buyers on notice of the prohibition against renting out both units. All recording fees shall be the responsibility of the applicant.

D. ~~The ADU must be located in the same building as the principal dwelling unit(s) unless the lot meets or exceeds the minimum required lot size for the respective zoning district. If the lot meets or exceeds the required minimum lot size, the ADU may be located in a separate detached accessory structure such as a garage or barn, provided the existing accessory structure conforms with the minimum required yard requirements for the respective zoning district. An ADU may also be in a new structure. By special exception, the Zoning Board of Adjustment may~~

Amendment 4

Accessory Dwelling Unit

From: State Law Changes – 2025 HB 577

allow an **ADU** to be located in a detached **structure** on a **lot** that is non-conforming to the minimum lot size and/or to be allowed in an existing accessory **structure** that is legally non-conforming to the applicable minimum yard requirements.

E. If the **ADU** is located within or by an addition to the existing **principal building**, an interior door shall be provided between the **ADU** and the principal **dwelling unit** or between the **ADU** and one of the principal **dwelling units** if the principal building is a **two-family dwelling**.

F. If applicable, the owner must seek a permit from the State of NH Dept. of Environmental Services Subsurface Systems Bureau, in accordance with NH RSA 485-A:38 and NH RSA 674:72, V, for any increased load on an existing sewage disposal system as a result of the addition of an **ADU** to the **lot**.

G. Size of ADU.

1. One-family dwellings. If the **gross living area** of the principal **dwelling unit** is 1,500 square feet or less, the **gross living area** of the **ADU** shall not exceed may be nothe greater than of 750 sq. ft. or 65% of the **gross living area** of the principal **dwelling unit**. If the **gross living area** of the principal **dwelling unit** is greater than 1,500 square feet, but less than 3,000 square feet, the **gross living area** of the **ADU** shall not exceed 960 square feet. If the principal **dwelling unit** is greater than 3,000 square feet, the **gross living area** of the **ADU** can exceed 960 square feet provided the **ADU** is no greater than 33% of the **gross living area** of the principal **dwelling unit**. If the **ADU** is located on a parcel of land greater than 4 acres a **detached ADU** can exceed 960 square feet provided that the **detached ADU** is no greater than 50% of the gross living area of the principal dwelling unit.

2. Two-family dwellings. If the **gross living area** of the smaller of the two principal **dwelling units** is 1,500 square feet or less, the **gross living area** of the **ADU** may beshall not exceed the no greater of 750 sq. ft. or than 65% of the **gross living area** of the smaller of the two principal **dwelling units**. If the **gross living area** of the smaller of the two principal **dwelling units** is greater than 1,500 square feet, but less than 3,000 square feet, the **gross living area** of the **ADU** shall not exceed 960 square feet. If the smaller of the two principal **dwelling units** is greater than 3,000 square feet, the **gross living area** of the **ADU** can exceed 960 square feet provided the **ADU** is no greater than 33% of the **gross living area** of the smaller of the two principal **dwelling units**.

H. Any necessary additional entrances or exits to the principal building, to serve the ADU, shall be located to the side or rear of the building. All new or altered **structures**, intended to be used as an **ADU**, must be located behind the **front building line** of the existing **principal building** except by **special exception** if the

Amendment 4

Accessory Dwelling Unit

From: State Law Changes – 2025 HB 577

Zoning Board finds that the placement of the **ADU** on the **lot** will not adversely affect the character of the neighborhood; traffic on roads and highways; safety of pedestrians, and will not create a hazard or nuisance to abutting property owners.

- I. In addition to the two-one (21) parking spaces required for each principal **dwelling unit**, one (1) additional parking space for the **ADU** must be provided either on-site or at a legally dedicated off-site location, at the property owner's discretion.
- J. An **ADU** located within the **principal building** shall have interconnected smoke and carbon monoxide alarms.
- A. An ADU Permit application submission shall include a minimum of the following materials and exhibits demonstrating compliance with the applicable Zoning Ordinance requirements:
 1. Existing and proposed site conditions and parking plan.
 2. Existing and proposed floor plans for all dwelling units and structures.
 - a. If applicable this floor plan shall show compliance with ADU entrance, interconnection and the smoke and carbon monoxide alarm plan requirements.
 3. A gross living area square footage calculation which includes existing and proposed floor plans, and a square footage calculation for both the primary dwelling and ADU demonstrating adherence with 610.G ADU Size pursuant to the definition of gross living area within Appendix A Definitions.
 4. A signed, recordable "Accessory Dwelling Unit Owner Occupancy Restriction".
 5. A bank or business check or money order for all recording fees made payable to the Grafton County Registry of Deeds.
 6. If applicable a copy of the State of NH Dept. of Environmental Services Subsurface Systems Bureau Approval and plans.
 7. If applicable a Water Connection Permit Application.
 8. If applicable a Sewer Connection Permit Application.
 9. Impact Fee Invoice Acknowledgment.

Amendment 4
Accessory Dwelling Unit
From: State Law Changes – 2025 HB 577

APPENDIX A DEFINITIONS

ACCESSORY BUILDING: A *building* subordinate and customarily incidental to the main *building* on the same lot. The term "accessory building", when used in connection with *agriculture* shall include all buildings customarily used for farm purposes.

ADU-ACCESSORY DWELLING UNIT (ADU): This term shall have the meaning as set forth in RSA 674:71, I, as amended, except that an ADU may also be located on a lot containing a two-family dwelling and the definition set forth in RSA 674:71, I, shall be interpreted and applied accordingly. A separate complete housekeeping unit that is either contained within or is attached to a ~~one-family dwelling~~, or within a detached ~~accessory building~~ on the same lot, for which the title is inseparable from the primary ~~dwelling~~. (See Section 610)

ADU, ATTACHED: This term shall have the meaning as "attached unit" as set forth in RSA 674:71, II, as amended.

ADU, DETACHED: This term shall have the meaning as "detached unit" as set forth in RSA 674:71, III, as amended.



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Planning and Development Department Staff

RE: Proposed Zoning Amendments 5-10; Route 120 Corridor

DATE: December 23, 2025

Zoning Amendments 5-10 are the proposed changes to the Northern Lebanon / Route 120 Corridor. The 120 North Lebanon Study was initiated in January 2024 and concluded with a presentation to City Council in September 2024. In January of 2025, similar amendments were brought before Council. At the request of Council, City Planning Staff continued working with the business community, neighborhood constituents and members of the public to create a consensus rezoning proposal parties can generally agree upon. After multiple meetings the proposed package emerged as the consensus choice for the package. Despite the consensus, some interests continue to oppose elements of the package.

The original study along with the consensus recommendations propose a series of recommendations with two main goals: Conservation and Neighborhood Housing. Specific recommendations include the creation of a wildlife crossing and land use-based consideration for the crossing, and the re-zoning of the area to maximize mixed-use development including housing in line with the current and future needs of the neighborhood. The rezoning of the Centerra Planned Business Development aligns with the City's goals as well as the deed restrictions and goals of the businesses located there.

Amendments 5-8 include Zoning Map Amendments generally changing the existing IND-L to GC-1. Amendment 9 is the creation of the "Northern Lebanon Wildlife Overlay District". Amendment 10 is corresponding text amendments required to keep current uses conforming to the CG-1 zoning district.

These proposed amendments were presented to Council at the October 1, 2025, meeting. The proposed amendments were sent to further review to the Land Use Boards, Planning Board, Zoning Board of Adjustment, and Conservation Commission, pursuant to the process outlined in Section 1000 of the Zoning Ordinance. As well as being reviewed at public land use board meetings, Planning Staff also held two public information sessions on December 2nd at City Hall, and December 16th at the Kilton Library. A discussion session with the Economic Development Commission was also held.

Staff proposes that the Northern Lebanon / 120 amendment group public hearing be held by Council at the February 4, 2026 City Council Meeting.

Amendment 5: Centerra/Altaria Map Amendment

This amendment proposes the rezoning of the Centerra/Altaria neighborhood to promote additional development in the area including housing. The map amendments reflect the deed restrictions within the existing neighborhood. The rezoning change will promote more residential development and mixed-use development possibilities within an existing neighborhood that is served by water and sewer.

Amendment 6: Conservation Area

This amendment proposes the rezoning of key natural areas due to their unique geographic features and locations within the wildlife crossing. Rezoning these areas from IND-L to Rural Lands-3 (RL-3) will reduce the permissible uses allowed in the area and extend protections under the Steep Slopes ordinance.

Amendment 7: LaBombard Road

This amendment proposes the rezoning of several properties along LaBombard Road. The 120-study originally looked at rezoning sections of Etna Road as well, but after working with the business owners in the area, it was agreed upon to leave the area IND-L to match the existing uses.

Last year, a Petitioned Amendment was submitted, dubbed the “Hatch Amendment”, to reflect the property owner’s request. Staff is included the “Hatch Amendment” rezoning in the City’s proposed changes due to an overwhelming consensus.

Elks Property. The leadership of the Elks have requested a discussion about rezoning their property at 150 Heater Road from RL-1 and RL-3 to GC-1 to facilitate possible additional development as well as allowing their existing legal non-conforming use to be made conforming.

The motivation of this rezoning request is to bring additional residential and mixed-use development opportunities, increase housing development opportunities and bring current uses into conformity within the Northern Lebanon area in the LaBombard neighborhood.

Amendment 8: Heater Road

This amendment proposes the rezoning of several properties in the Heater Road area. The area being proposed to be rezoned allows for the existing uses to be retained in the area and the rezoning diversifies the possible redevelopment of several vacant properties. The rezoning will allow a more diverse mixed-use set of uses to be conforming to the zone. Several properties, notably the truck stop and the Hypertherm manufacturing facility, remain unchanged as IND-L. The re-zoning will allow a more diverse set of redevelopment options for the now open lots nestled between the Volvo dealership and I89.

Amendment 9: Northern Lebanon Wildlife Overlay District

This amendment creates the Northern Lebanon Wildlife Overlay District. The proposed District is significantly reduced in scope from previous versions and now only seeks to preserve wildlife movement between the Boston Lot, Ricks Ledges and Signal Hill. Amendment 9 in combination with map Amendment 6 will enhance wildlife, steep slope and environmental protection within the 120 area.

Amendment 10: Northern Lebanon Text Amendment

Amendment 10 encompasses the text amendments that go along with the above map amendments. Please note the GC-1 Use Table is color coordinated based on what uses will go with what map amendment. The purpose of the different uses for each map is to make sure an existing use does not become nonconforming with an approved zoning map amendment. The uses colored Green are no longer relevant because it was agreed Etna Road would no longer be part of the rezoning efforts. Amendments to Section 501 "Planned Unit Development" and Section 508 "Planning Business Park" are also up for consideration.

If Amendment 5: Centerra /Alteria Rezoning passes, then the following use codes must be added to the CG-1 Zoning District:

Permitted Uses: Hotel, Health Club, Local Government Use

Planned Developments: Cottage Development, Industrial PUD per Section 501, Planned Business Park per Section 508.

If Amendment 5: Centerra /Alteria Rezoning passes, then the following use codes must be added to the CBD Zoning District

Planned Developments: Industrial PUD per Section 501, Planned Business Park

If Amendment 7: LaBombard Road Rezoning passes, then the following use codes must be added to the GC-1 Zoning District:

Permitted Uses: Bus Terminal, Hotel, Health Club, Warehouse.

Planned Developments: Cottage Development, Industrial PUD per Section 501, Planned Business Park per Section 508.

If Amendment 8: Heater Road Rezoning passes, then the following use codes must be added to the GC-1 Zoning District:

Conditional Use Permit Commercial/Non-Residential: Car Wash, Vehicular Sales

Approval Procedure:

As drafted, the proposed Council Amendments will not alter the zoning district designations or alter the Table of Uses or the Table of Area, Dimensions, and Coverage for a Residential or Rural Lands zoning districts within the City. As a result, no referendum vote is required for the proposed Council Amendments pursuant to Section 1000.4.A

Adoption of the proposed Council Amendments is recommended at this time in accordance with the procedures outlined in Section 1000.4.B as follows:

Article X, 1000.4 Action Upon Proposed Zoning Amendments.

Any proposed zoning amendment shall be acted upon and adopted or rejected as follows:

B. Action by the Council: The Council shall act on any proposed Zoning amendment not requiring a referendum vote in which case adoption of the Zoning Amendment shall require a majority vote of five members of the City Council; or alternatively, the Council may decide that such an amendment shall be submitted to the voters at the annual City election, even though such a referendum is not required.

Included in this Packet:

1. Route 120 Map Amendments and corresponding text amendments:
 - a. **Amendment 5**: Centerra/Altaria
 - b. **Amendment 6**: Conservation Area
 - c. **Amendment 7**: LaBombard Road
 - d. **Amendment 8**: Heater Road
 - e. **Amendment 9**: Wildlife Corridor Map and Text
 - f. **Amendment 10**: Northern Lebanon Use Tables & Text
2. Comments and Minutes from the Land Use Boards' Reviews
3. Comments from the Public
4. Legal Opinion Letter for City Sponsored Amendments

Amendment 5
Northern Lebanon Map Amendment – Centerra / Altaría
From: Zoning Staff and 120 Corridor Study

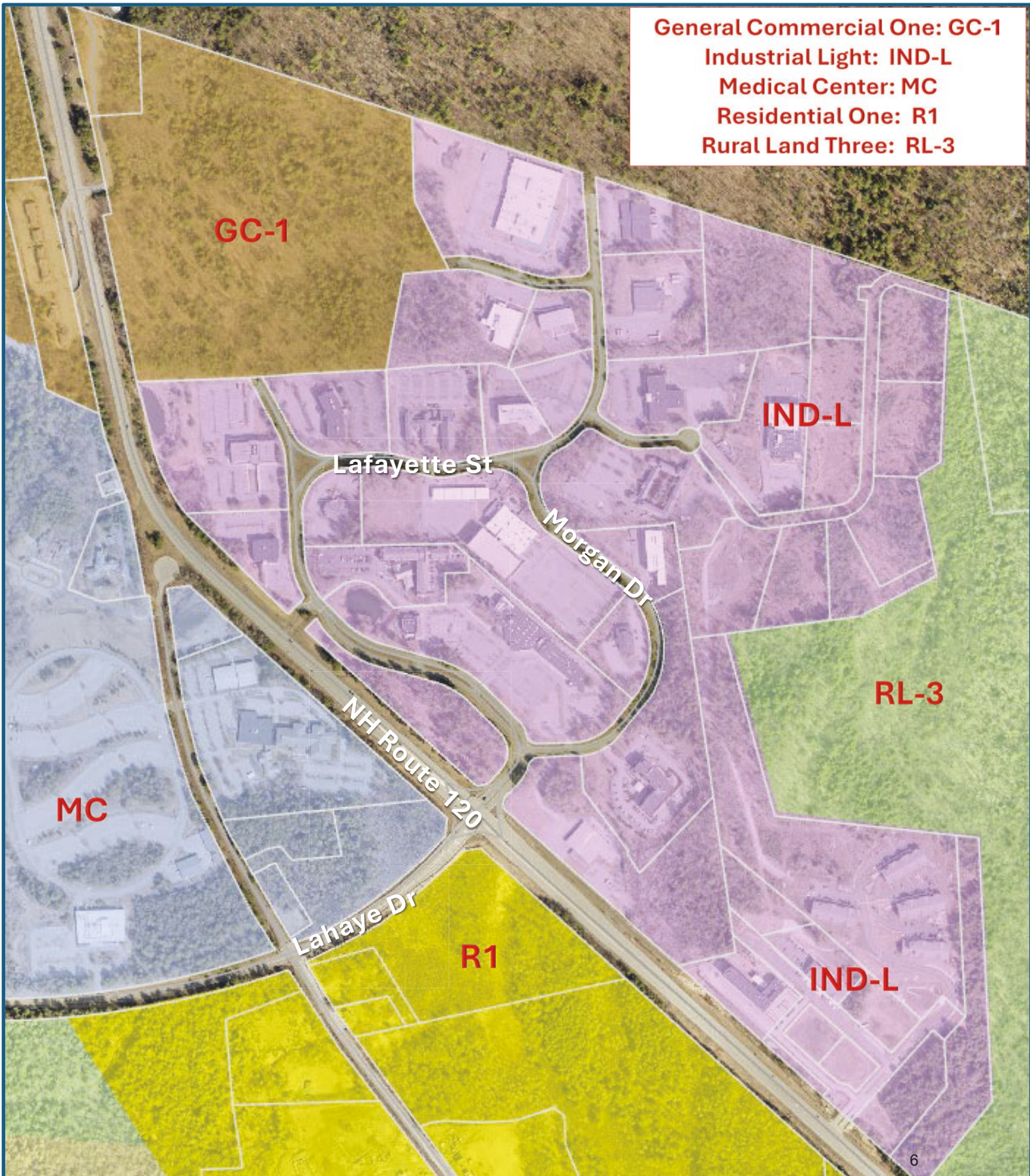
Amendment 5 seeks to Rezone the Centerra / Altaría neighborhood to promote additional development in the area. The Centerra area of the amendment reflects the existing Deed Restricted uses within the neighborhood. The rezone will preserve the established use structure within the Centerra neighborhood. The rezone includes changing Alaría from Ind-L to GC-1. The zoning change will promote more possible housing and mixed-use development in the neighborhood. Please note that the existing Industrial lots within Centerra will remain unchanged as IND-L lots.

The Following Parcels are included:

Address	Parcel	Proposed Zoning	Current Zoning
0 Centerra Parkway	10-11-1400	CBD	IND-L
2 Morgan Drive	10-11-1300	CBD	IND-L
10 Morgan Drive	10-11-1302	CBD	IND-L
12 Centerra Parkway	10-11-100	CBD	IND-L
34 Centerra Parkway	10-11-300	CBD	IND-L
35 Centerra Parkway	10-11-1500	GC-1	IND-L
38 Centerra Parkway	10-11-400	GC-1	IND-L
41 Centerra Parkway	10-11-1600	GC-1	IND-L
46 Centerra Parkway	10-11-2000	GC-1	IND-L
11 Lafayette Street	10-11-2100	GC-1	IND-L
33 Morgan Drive	10-11-700	GC-1	IND-L
21 Lafayette Street	10-11-2300	GC-1	IND-L
20 Morgan Drive	10-11-1200	GC-1	IND-L
Cavendish Court	10-34	GC-1	IND-L
Cavendish Court	10-33	GC-1	IND-L
Cavendish Court	10-32	GC-1	IND-L
Cavendish Court	10-35	GC-1	IND-L
Cavendish Court	10-31	GC-1	IND-L
Cavendish Court	10-26	GC-1	IND-L
Cavendish Court	10-30	GC-1	IND-L

Amendment #5

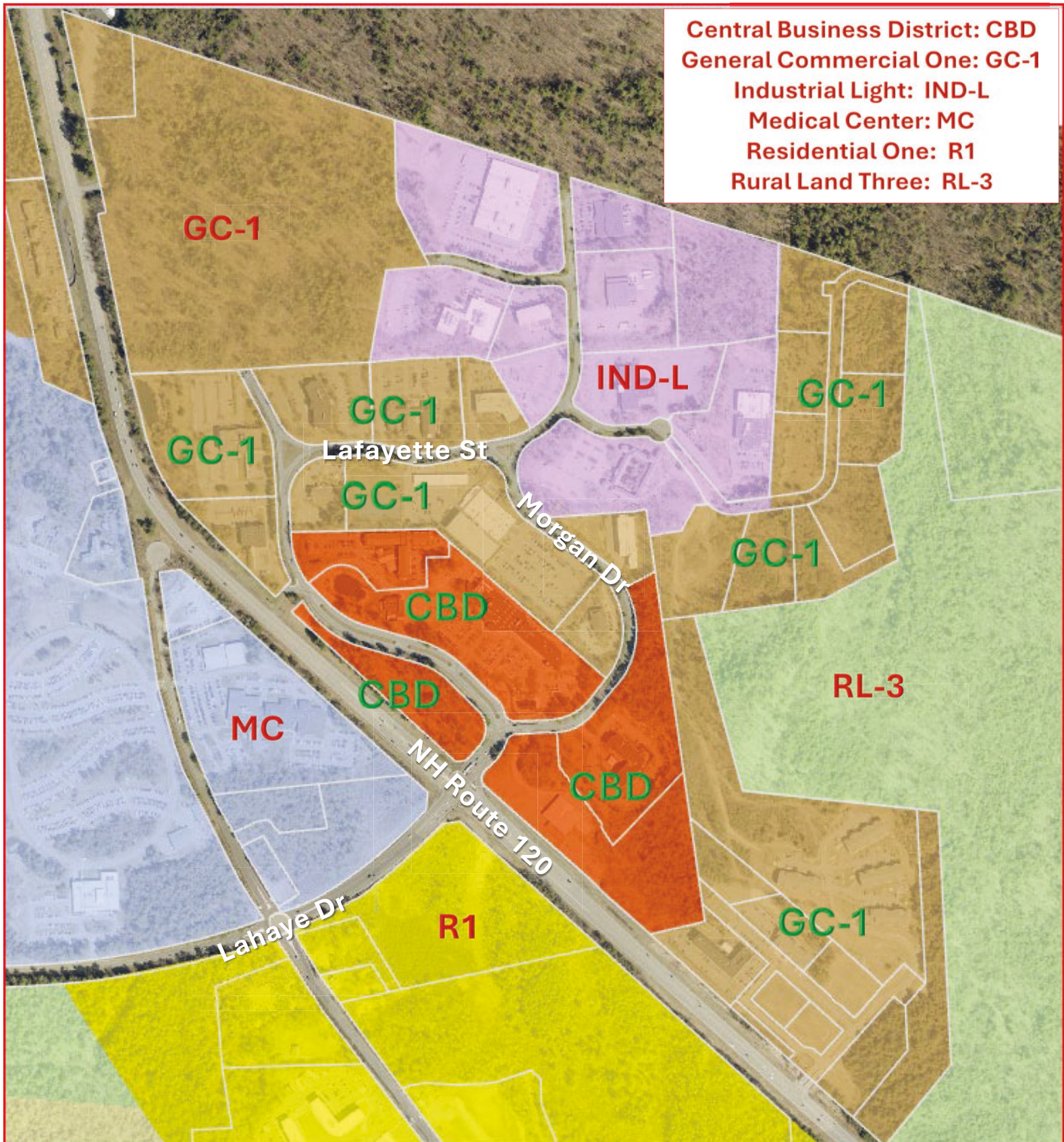
Existing Zoning



Amendment #5

Proposed Zoning

(Fall 2025 Amendment)



Amendment 6

Northern Lebanon Map Amendment – Conservation Area

From: Zoning Staff and 120 Corridor Study

Amendment 6 seeks to Rezone the several key properties in the area due to unique geographic features. Rezoning these areas to RL-3 will reduce the possible uses of the area from IND-L to RL-3 and will provide steep slopes protection. RL-3 includes steep slope protection. The change will target limited areas identified in studies over the years and referenced in the Northern Lebanon planning conversation. The alteration of the RL-3 map area in key sensitive locations allows for the Wildlife Overlay to be greatly reduced in scope by eliminating the need for wetland and steep slope protections by policy. This approach is much more limited and targeted to key sensitive geological and wildlife areas.

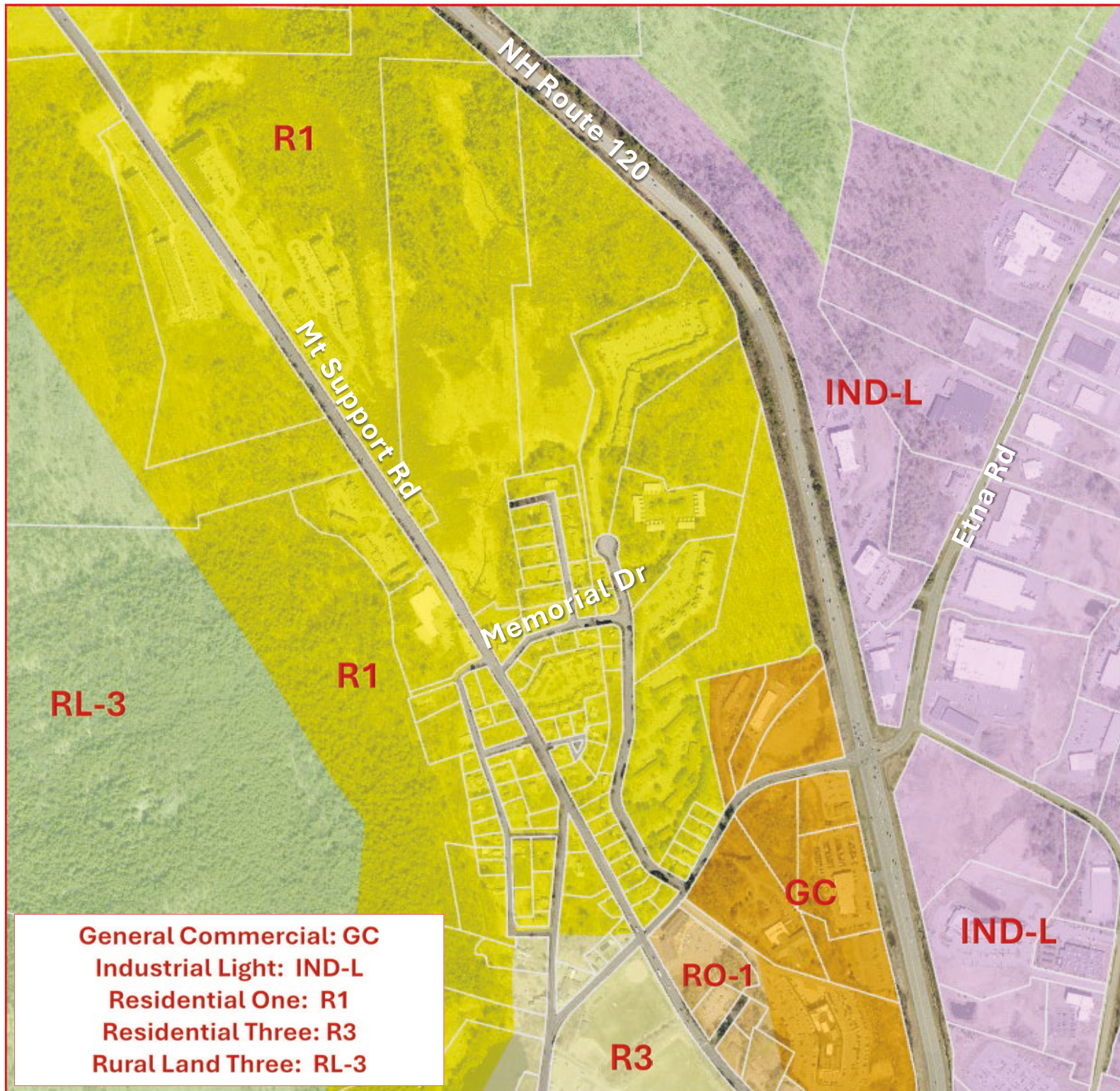
The Following Parcels are included:

Address	Parcel	Proposed Zoning	Current Zoning
67 – 69 Etna Road	26-2	RL-3 and IND-L Line Change	RL-3 and IND-L
85 Etna Road	37-4	RL-3 and IND-L Line Change	RL-3 and IND-L
96 Etna Road	37-5	RL-3 and IND-L Line Change	RL-3 and IND-L
101 Etna Road	37-7	RL-3 and IND-L Line Change	RL-3 and IND-L
0 Mt. Support Road	76-10	R-1 and RL-3 Line Change	RL-3 and R-1

Map Amendment follows:

Amendment #6

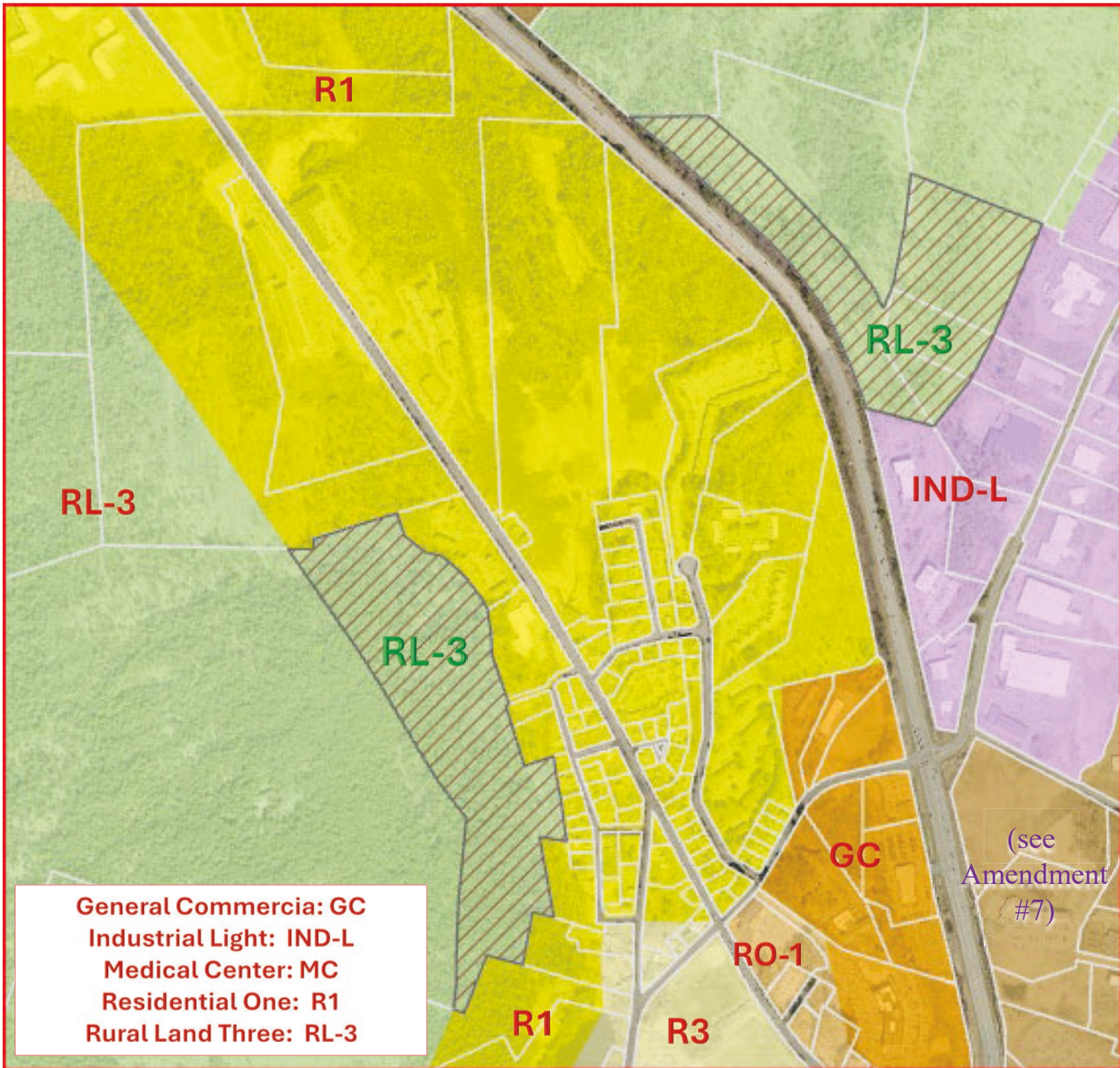
Existing Zoning



Amendment #6

Proposed Zoning

(Fall 2025 Amendment)



Amendment 7

Northern Lebanon Map Amendment – LaBombard Road Area

From: Zoning Staff and 120 Corridor Study

Amendment 7 seeks to Rezone the several key properties in the LaBombard Road area. There are three notable inclusions and exclusions. See below for further explanation. The center of this rezoning request is to bring additional residential and mixed-use development opportunities into the Northern Lebanon area in the LaBombard neighborhood. The change will allow for possible residential as well and mixed-use within the area. Along with the proposed use changes several non-conformities are resolved.

The Etna Road area was excluded from rezoning consideration. Multiple business owners with manufacturing businesses along Etna Road requested to remain IND-L. During the public meetings held on the topic it was clear that the Etna Road area has been heavily built out as an industrial neighborhood. Further it appears that area will remain as an industrial focused neighborhood with little appetite or room to infuse residential use into the area. Thus, the Etna Road was removed from the request.

Hatch Amendment. A citizen petitioned amendment from last spring to reshape and rezone the zoning of 24 Labombard Road (51-21) has been included in the package. There is an adjustment of the zoning district boarder on the property and well as a change in the zoning district from IND-L to GC-1 along with the related properties in the LaBombard Road area.

Elks Property. The leadership of the Elks have requested a discussion about rezoning their property at 150 Heater Road from RL-1 and RL-3 to GC-1 to facilitate possible additional development as well as allowing their existing legal non-conforming use to be made conforming.

The Following Parcels are included:

Address	Parcel	Proposed Zoning	Current Zoning
150 Heater Road	51-13	GC-1	RL-1 and RL-3
0 LaBombard Road	64-34	GC-1	IND-L
174 Heater Road	64-23	GC-1	IND-L
13 LaBombard	64-22	GC-1	IND-L
25 LaBombard Road	64-25	GC-1	IND-L
33 LaBombard Road	51-15	GC-1	IND-L
24 LaBombard Road	51-12	GC-1 and RL-3	IND-L and RL-3
35 LaBombard Road	64-21	GC-1	IND-L

Amendment 7

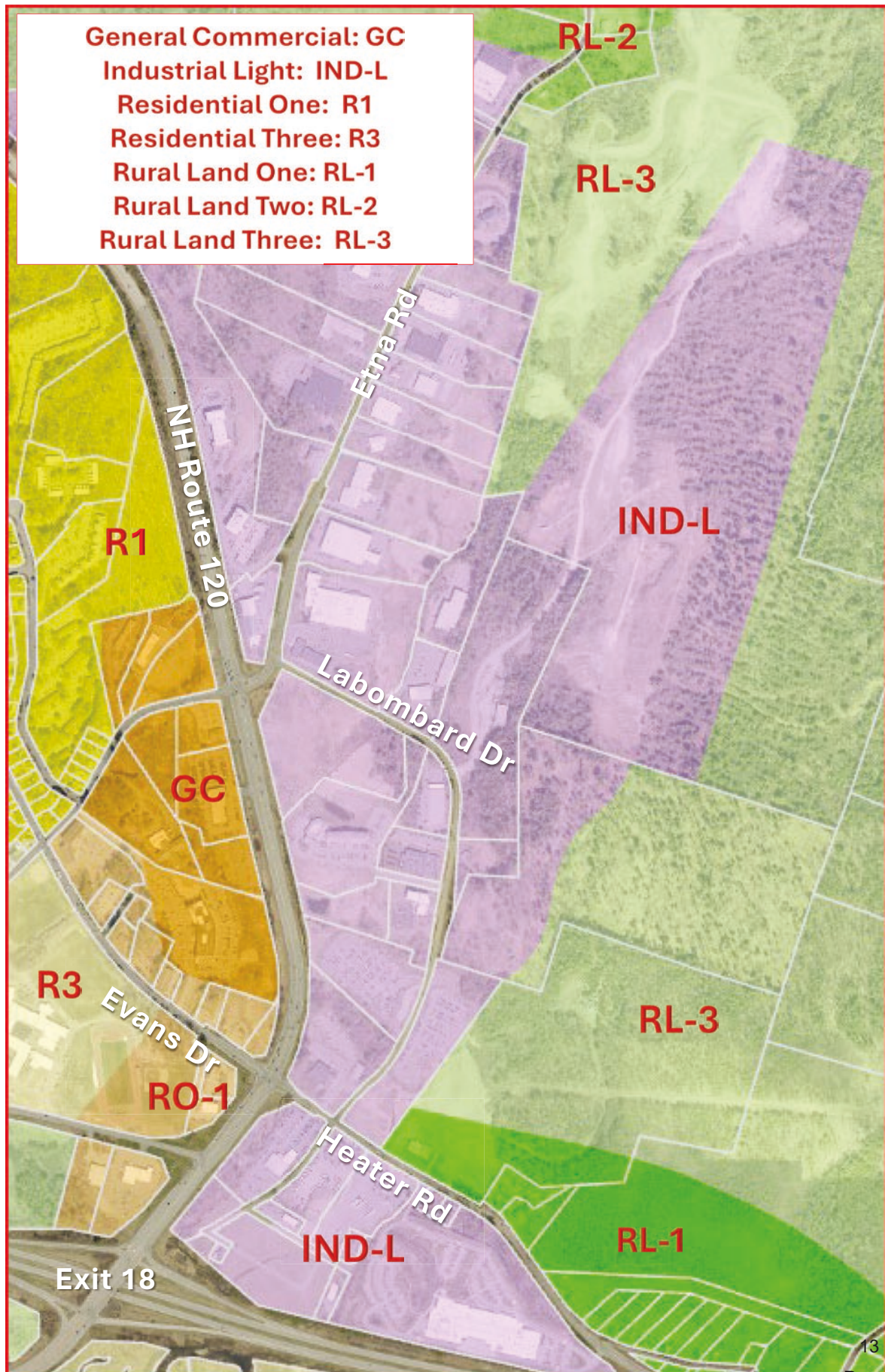
Northern Lebanon Map Amendment – LaBombard Road Area

From: Zoning Staff and 120 Corridor Study

33	39 LaBombard Road	51-14	GC-1	IND-L
34	32 LaBombard Road	51-11	GC-1	IND-L
35	41 LaBombard Road	51-1	GC-1	IND-L
36	40 N LaBombard Road	51-10	GC-1	IND-L
37	52 N LaBombard Road	51-2	GC-1	IND-L
38	0 NH Route 120	50-29	GC-1	IND-L
39	50 N LaBombard Road	51-3	GC-1	IND-L
40	0 Etna Road	26-17	GG-1 and RL-3	IND-L and RL-3
41	Map Amendment follows:			

Amendment #7

Existing Zoning

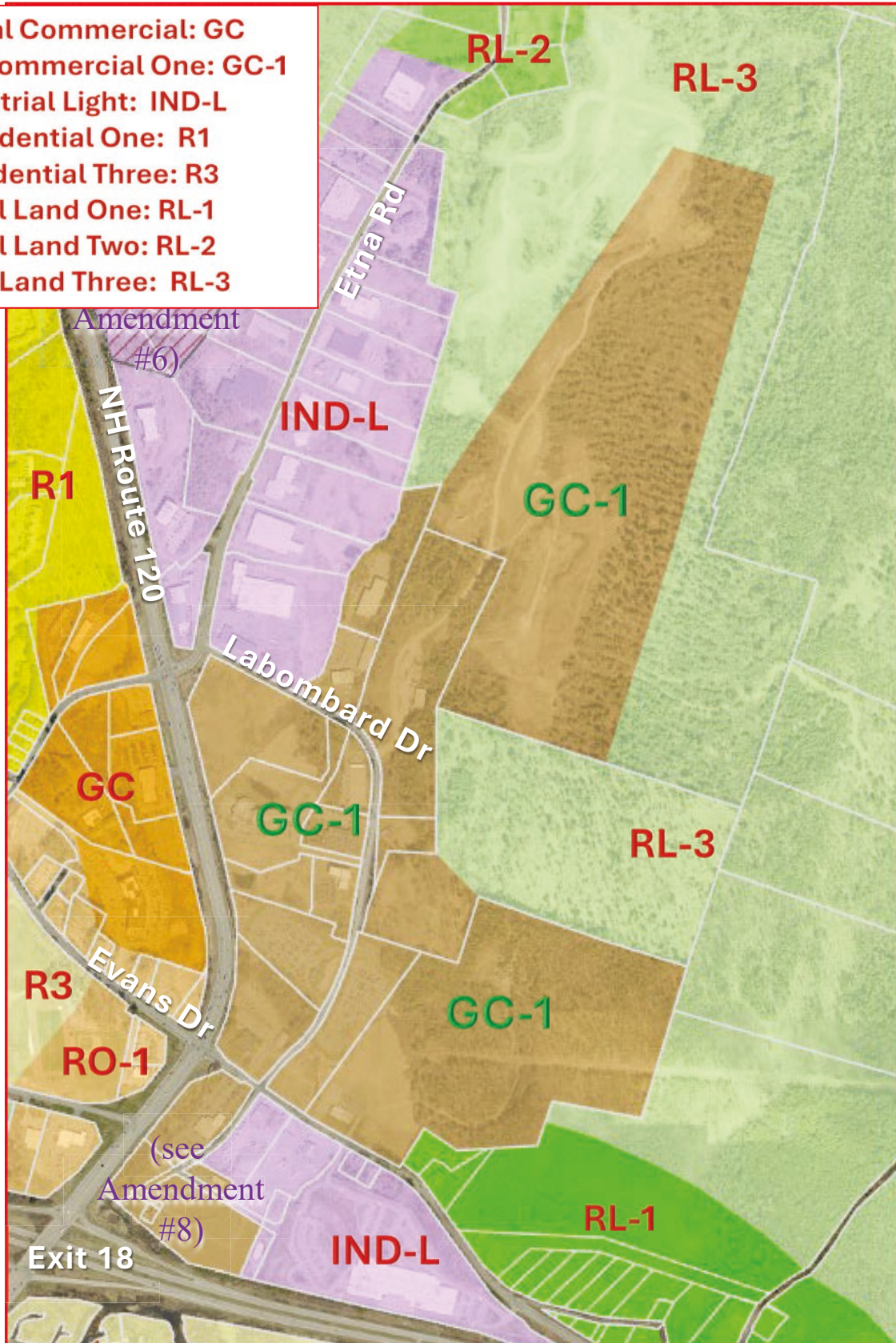


Amendment #7

Proposed Zoning

(Fall 2025 Amendment)

General Commercial: GC
General Commercial One: GC-1
Industrial Light: IND-L
Residential One: R1
Residential Three: R3
Rural Land One: RL-1
Rural Land Two: RL-2
Rural Land Three: RL-3



Amendment 8

Northern Lebanon Map Amendment – Heater Road Area

From: Zoning Staff and 120 Corridor Study

Amendment 8 seeks to Rezone the several properties in the Heater Road area. The area being proposed to be rezoned allows for the existing uses to be retained in the area and the rezoning diversifies the possible redevelopment of several vacant properties. Recently the former residential neighborhood in the area has been demolished and a blank canvas of redevelopment has been put into place. The direction of the possible redevelopment of this neighborhood has not yet been identified. The rezoning will allow a more diverse mixed-use set of uses to be conforming to the zone. Several properties, notably the truck stop and the Hypertherm manufacturing facility remain unchanged.

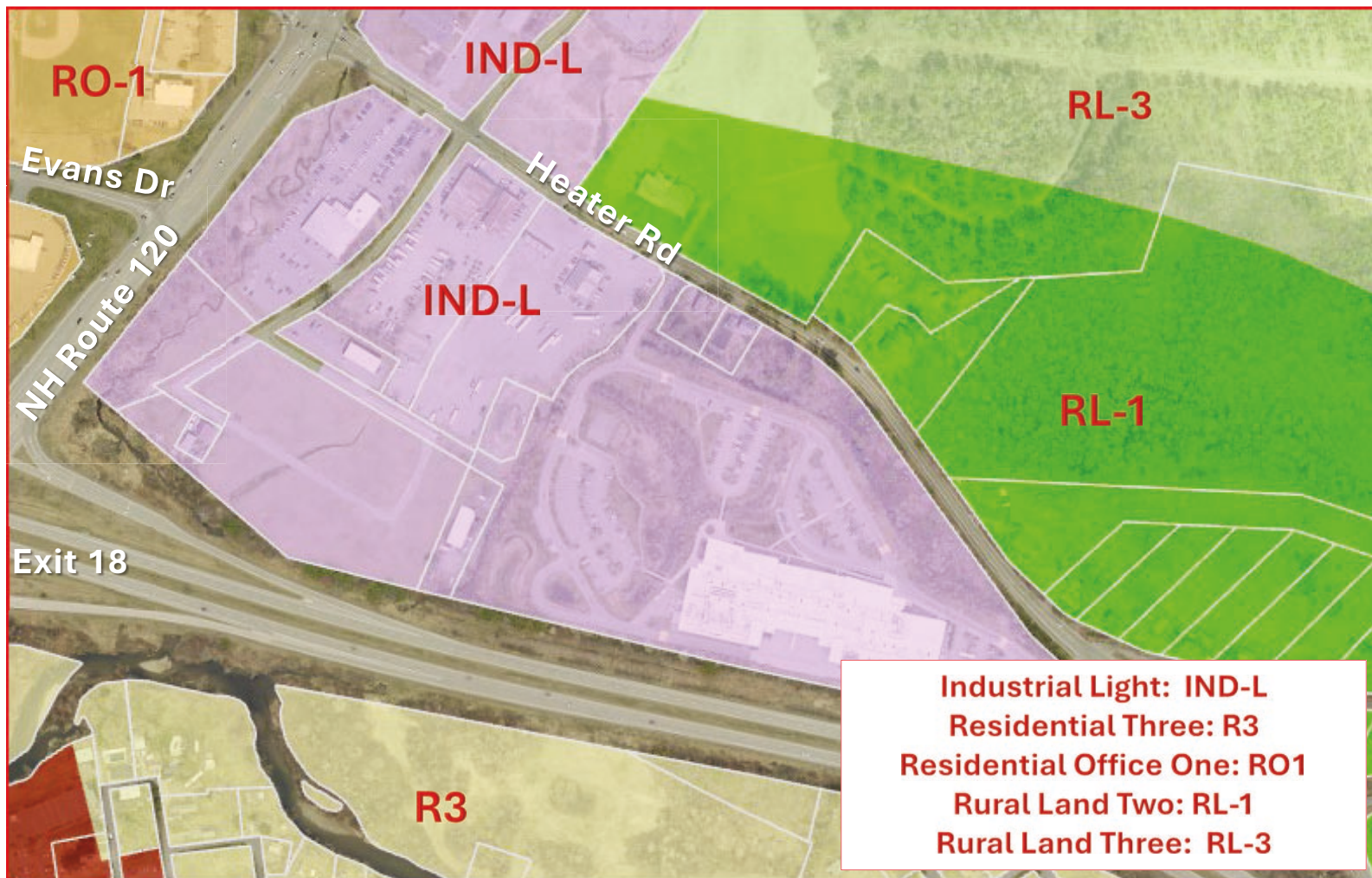
The Following Parcels are included:

Address	Parcel	Proposed Zoning	Current Zoning
5 Edwards	78-55	GC-1	IND-L
30 Little Heater Road	78-61	GC-1	IND-L
9 Pershing	78-48	GC-1	IND-L
175 Heater Road	64-30	GC-1	IND-L

Map Amendment follows:

Amendment #8

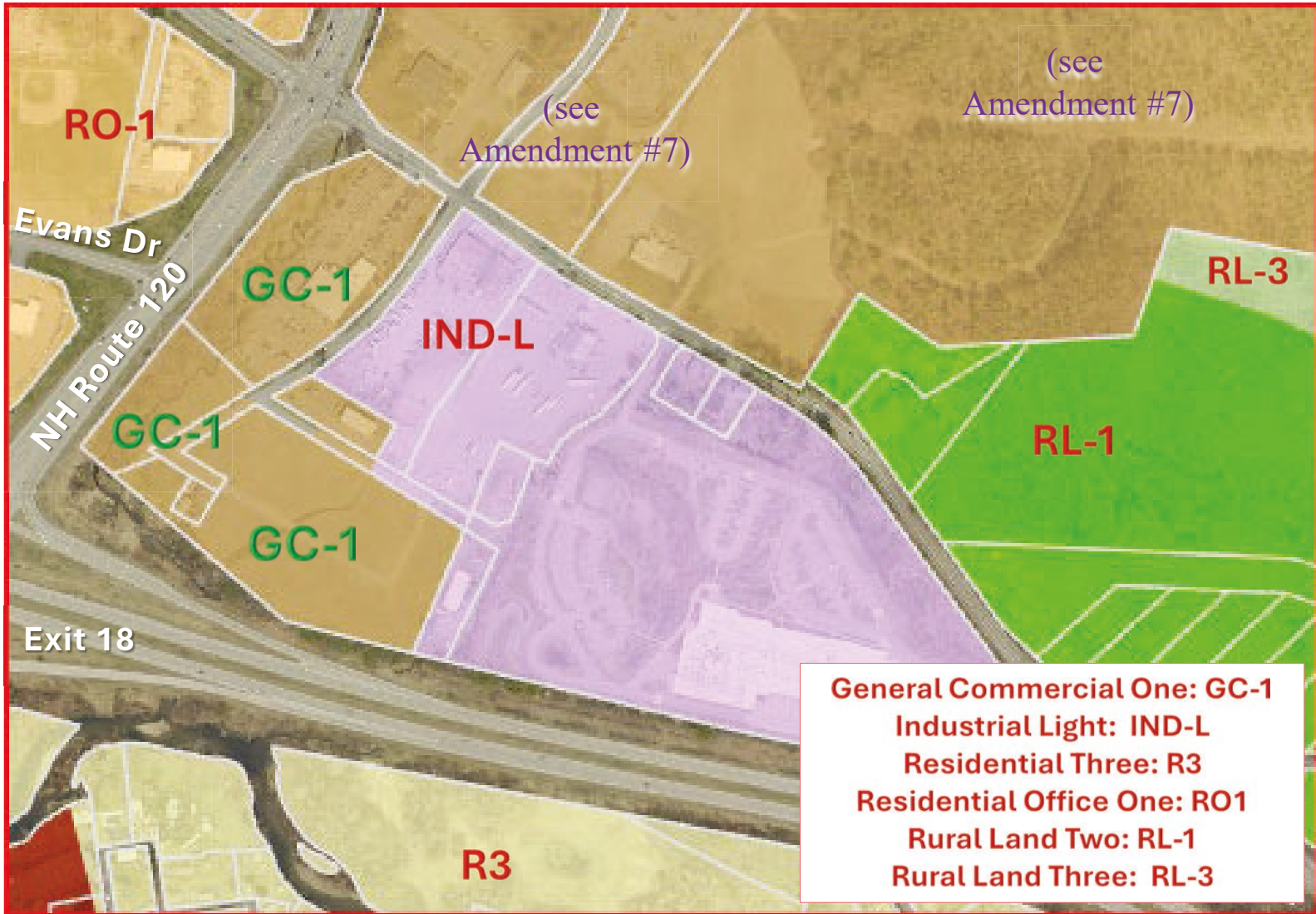
Existing Zoning



Amendment #8

Proposed Zoning

(Fall 2025 Amendment)



Amendment 9

Northern Lebanon Wildlife Overlay

From: Zoning Staff and 120 Corridor Study

The following creates a Wildlife Corridor Overlay that requires the Planning Board as a part of its deliberations on an application within the Overlay to examine the impact of the development on wildlife passage through the corridor. The proposed District is significantly reduced in scope from previous versions and now only examines wildlife movement. Amendment 9 in combination with map Amendment 6 will enhance wildlife, steep slope and environmental protection within the 120 area.

SECTION 411 Northern Lebanon Wildlife Overlay District

411.1 Purposes.

The purposes of the Northern Lebanon Wildlife Overlay District are to:

- A. Preserve and protect the integrity of the wildlife corridor and crossings that connect otherwise fragmented habitats in the Northern Lebanon ecosystem, as well as preserving and maintaining interconnected wildlife habitats for native flora and fauna more generally. Doing so is vital for enabling wildlife movement, promoting genetic diversity in wildlife populations, and maintaining the biodiversity and ecological health of the region, and furthermore prevents the need for investment in expensive restoration measures in the future.
- B. Preserve, protect, and enhance scenic, scientific, and educational values associated with the wildlife within the district.

411.2 Description of Northern Lebanon Wildlife District.

The Northern Lebanon Wildlife District includes all areas as depicted on the Official Lebanon GIS system map layer.

411.3 Permitted Uses.

Uses permitted on the respective use tables of the underlying zoning district shall be permitted.

411.4 Accessory structures and minor expansions.

An accessory structure or building addition with a footprint up to a cumulative 1000 square feet may be administratively approved pursuant to the site plan regulations.

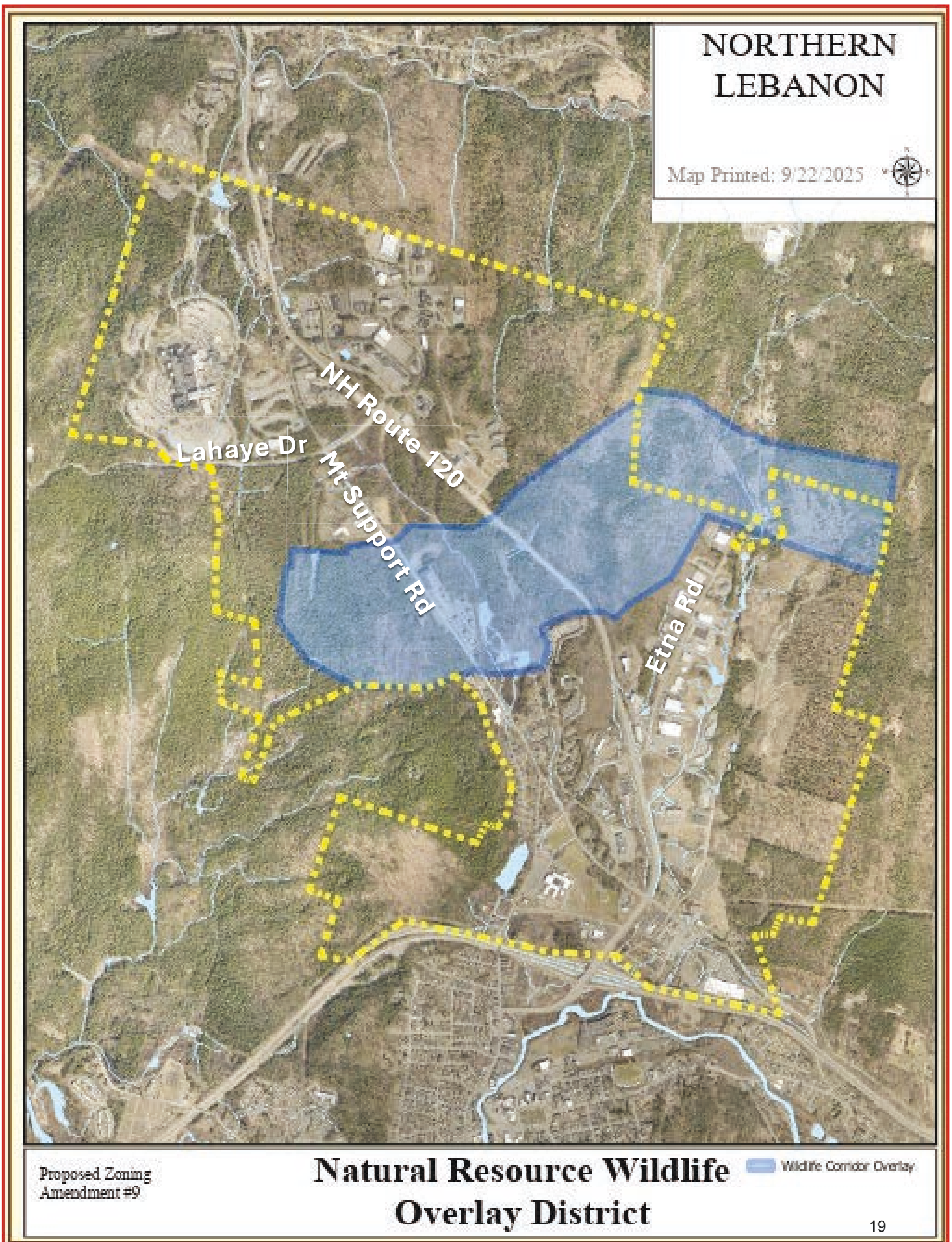
411.5 Additional Planning Board Approval Criteria.

In passing upon any application that requires Planning Board approval, the Planning Board shall make each of the following findings:

- A. The project makes adequate accommodation for the free movement of wildlife through the corridor.
- B. The project does not create an undue hazard or nuisance to the wildlife within the district.
- C. Wildlife crossings and essential wildlife conductivity within the Northern Lebanon Wildlife District are maintained.

Overlay Map Follows:

Amendment #9



Amendment 10

Northern Lebanon Text Amendments

From: Zoning Staff

The following are the corresponding text amendments that go along with the proposed rezoning map amendments for the 120 Corridor. Please note the GC-1 use table is color coded based on what uses go with what map amendment. The purpose of the different uses for each map is to make sure an existing use does not become nonconforming with an approved zoning map amendment.

SECTION 501 PLANNED UNIT DEVELOPMENT (PUD).

[...]

501.4 Commercial or Industrial Planned Unit Developments.

C. Tract Size: All Commercial or Industrial PUDs shall have a minimum tract size of 10 acres.

<u>District</u>	<u>Minimum Tract Size</u>
<u>Industrial</u>	<u>10 acres</u>
<u>CB</u>	<u>10 Acres</u>
<u>GC</u>	<u>10 Acres</u>
<u>GC-1</u>	<u>10 Acres</u>

D. Uses Allowed in a Commercial or Industrial PUD. Any non-residential use permitted or allowed by **special exception** or **conditional use** in the IND-L, CB, GC, or GC-1 Districts is allowed in a Commercial PUD. Such uses allowed by **special exception** or **conditional use** shall be considered permitted uses when included as part of a proposed Commercial PUD and shall not require separate **special exception** or **conditional use** approval.

Any non-residential use permitted or allowed by **special exception** or **conditional use** permit in the IND-L and IND-RA Districts is allowed in an Industrial PUD. Such uses allowed by **special exception** or **conditional use** shall be considered permitted uses when included as part of a proposed Industrial PUD and shall not require separate **special exception** or **conditional use** approval. Additionally, no more than 25 percent of the **gross floor area** in an Industrial PUD may be allocated to **hotels, restaurants, personal services** and retail sales necessary to serve the needs of the other businesses in the PUD (or of their employees).

Dwelling units in **one-family, two-family** and **multi-family dwellings** or appropriate mixes thereof may be allowed in Commercial or Industrial PUDs, at the discretion of the Planning Board, provided that the Board determines that such residential uses are compatible within the proposed PUD. For PUDs or portions thereof in the IND-L or IND-RA Districts, the density of residential uses allowed pursuant to this section shall be

determined based on a maximum of 25% of the net land area of the PUD not planned for open space, roads, or utilities and calculated at a density of 13 **dwelling units** per acre. For PUDs or portions thereof located in the GC, GC-1, or CB Districts, the density of residential uses allowed pursuant to this section shall be determined by the Planning Board pursuant to Sections 305.5, 305A.4, and 306.5, respectively. Where allowed, such **dwelling units** may be clustered together and/or distributed within the Commercial or Industrial PUD in **mixed use buildings** at the discretion of the Planning Board.

SECTION 508 PLANNED BUSINESS PARKS.

[...]

508.2 General Requirement. A **planned business park** is allowed as a Conditional Use in the Light Industrial District, General Commercial One District, Central Business District and the Industrial Rail Access District.

508.4 Sectors, Allowed Uses.

- A. The **planned business park** shall be shown on an approved Subdivision Plan and Use Allocation Plan. The Subdivision Plan and Use Allocation Plan approved by the Planning Board shall designate the allocation of the Industrial/ Office, Commercial and Residential Uses within the Park.
- B. No more than 20% of the net land area not planned for open space, roads, or utilities shall be used for the Commercial Sector.
- C. Unless limited by the Planning Board at the time of subdivision approval, the following uses shall be permitted.
 1. The following uses shall be permitted by right for any **planned business park** Industrial/Office Sector: **light industry; warehouse;** trucking terminal; publishing/printing; plumbing, electrical or carpentry shop; research laboratory; local government use; **essential service;** outdoor storage per Section 303.4 (less than 20%); **group day care facility** per Section 604; general business offices, research facilities, medical office buildings; **health clubs,** Educational Facility, College/University; Educational Facility, Vocational School; any use allowed in the Central Business (CB) District; and **accessory uses** to a permitted use. Retail showrooms per Sections 303.5 and 303A.5 shall be allowed by **conditional use** permit.
 2. The following uses shall be permitted by right for any **planned business park** Commercial Sector: **retail store(s)** up to a cumulative maximum of 20,000 sq. ft. of **gross floor area; personal service;** bank, branch bank; **restaurant,** sandwich shop/deli; refreshment stand; **office; motel; hotel;** movie theater;

89 **membership club; amusements (indoor);** printing (i.e. retail copy
90 store); radio or TV studio; **group day care facility** per Section 604;
91 local government use; ~~and health clubs;~~ any use allowed in the
92 Central Business (CB) District.

- 93
94 D. **Dwelling units** in **one-family, two-family** and **multi-family dwellings** or
95 appropriate mixes thereof at the discretion of the Planning Board, shall be
96 provided for in all **planned business parks**. The maximum number of
97 **dwelling units** allowed pursuant to this section shall be based on a
98 minimum of 15% and a maximum of 25% of the net land area of the park
99 not planned for open space, roads, or utilities and calculated at a density of
100 13 **dwelling units** per acre. Such **dwelling units** may be clustered together
101 and/or distributed within the Park at the discretion of the Planning Board.
102 For **planned business parks** in the GC-1 and CB District or portions
103 thereof, the density of residential uses allowed pursuant to this section shall
104 be determined by the Planning Board pursuant to Sections 305A.4 and
105 306.5, respectively.

106
107 [...]

<u>Permitted Uses</u>	<u>Uses by Conditional Use Permit (see Section 302.4)</u>
<u>Residential</u> 1. Multi-family dwelling (see Section 305A.4) <u>Commercial/Non-Residential</u> 2. Dwelling unit(s) above first floor 3. Essential service 4. Financial institution 5. Group day care facility per Section 604 6. Office 7. Personal service 8. Renewable energy system per Section 612 9. Bus Terminal 10. Hotel 11. Health Club 12. Local Government Use 13. Warehouse 14. Truck Stop 15. Plumbing, electrical or carpentry shop 16. Publishing or Printing 17. Equipment & Machinery Sales & Service 18. Outdoor Storage (less than 70%)	<u>Commercial/Non-Residential</u> 1. Alternative treatment center per Section 613 2. Drycleaning pick-up station 3. Educational facility, college/university 4. Inpatient rehabilitation facility 5. Light industry 6. Research laboratory 7. Restaurant , sandwich shop 8. Retail store 9. Car Wash 10. Vehicular Sales 11. Outdoor storage (more than 70%) <u>Planned Developments</u> 1. Commercial PUD per Section 501 2. Manufactured Housing PURD per Section 504 3. Cottage Development 4. Industrial PUD per Section 501 5. Planned Business Park per Section 508 <u>Special Exception</u> (see Section 801.3) 1. Care and Treatment of Animals

~~Etna Road Uses/Rezoning~~

Amendment 5: Centerra/Alteria Rezoning

Amendment 7: LaBombard Road Rezoning

Amendment 8: Heater Road Rezoning

306 Central Business District (CBD)

306.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
<u>Residential</u> 1. Dwelling unit(s) above first floor 2. Multi-family dwelling (see Section 306.5) 3. Senior housing complex	<u>Commercial/Non-Residential</u> 1. Craftsman's shop 2. Drive-through facility 3. Educational facility, college/university 4. Recovery Houses
<u>Commercial/Non-Residential</u> 4. Amusements (indoor) 5. Community center 6. Drycleaning pick-up station 7. Financial institution 8. Group day care facility per Section 604 9. Funeral home 10. Health club 11. Hotel 12. House of worship 13. Laundromat 14. Library 15. Local government use 16. Membership club 17. Motel 18. Museum 19. Office 20. Personal service 21. Radio or TV studio 22. Renewable energy system per Section 612 23. Restaurant, sandwich shop 24. Retail store 25. Social service center 26. Theater, concert hall, movie theater	<u>Uses by Conditional Use Permit</u> (see Section 302.4)
	<u>Commercial/Non-Residential</u> 1. Essential service 2. Other uses per Section 306.4 3. Parking facility 4. Publishing/printing 5. Recreational facility, indoor 6. Recreational facility, outdoor 7. Research Laboratory <u>Planned Developments</u> 8. Commercial or Industrial PUD per Section 501 9. Planned Business Park



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Planning and Development Department Staff

RE: Proposed Zoning Amendments 11-13:
City Board, Commission, Committee Sponsored Amendments

DATE: December 23, 2025

Zoning Amendments 11-13 are the proposed amendments that are brought before City Council from Lebanon Boards, Committees, or Commissions. These proposed amendments were presented to Council at the October 1, 2025, meeting. The proposed amendments were sent to further review to the Land Use Boards, Planning Board, Zoning Board of Adjustment, and Conservation Commission, pursuant to the process outlined in Section 1000 of the Zoning Ordinance. As well as being reviewed at public land use board meetings, Planning Staff also held two public information sessions on December 2nd at City Hall, and December 16th at the Kilton Library.

Amendment 11: Section 408: Historic District (Heritage Commission Sponsored)

The purpose of this amendment is to provide more guidance to the Heritage Commission when making decisions and to the applicant when applying for a Certificate of Approval. The ordinance provides a framework for the protection of properties and the distinct characteristics of the historic district to ensure they are preserved.

Amendment 12: Mobile Food Service Vending Ordinance (Food Truck Task Force)

The purpose of this amendment is to create a new section of the zoning ordinance that lays out the rules and regulations for Mobile Food Service Vending in Lebanon. This proposed amendment is the result of the work from the Lebanon Food Truck Task Force.

Amendment 13: EV Regulations Section 607.8 (LEAC)

Lebanon Energy Advisory Committee has rescinded this amendment.

Approval Procedure:

As drafted, the proposed Council Amendments will not alter the zoning district designations or alter the Table of Uses or the Table of Area, Dimensions, and Coverage

for a Residential or Rural Lands zoning districts within the City. As a result, no referendum vote is required for the proposed Council Amendments pursuant to Section 1000.4.A

Adoption of the proposed Council Amendments is recommended at this time in accordance with the procedures outlined in Section 1000.4.B as follows:

Article X, 1000.4 Action Upon Proposed Zoning Amendments.

Any proposed zoning amendment shall be acted upon and adopted or rejected as follows:

B. Action by the Council: The Council shall act on any proposed Zoning amendment not requiring a referendum vote in which case adoption of the Zoning Amendment shall require a majority vote of five members of the City Council; or alternatively, the Council may decide that such an amendment shall be submitted to the voters at the annual City election, even though such a referendum is not required.

Included in this Packet:

1. City Board, Commission, Committee Sponsored Amendments
 - a. **Amendment 11**: Section 408: Historic District (Heritage Commission Sponsored)
 - b. **Amendment 12**: Mobile Food Service Vending Ordinance (Food Truck Task Force)
2. Comments and Minutes from the Land Use Boards' Reviews
3. Comments from the Public
4. Legal Opinion Letter for City Sponsored Amendments

Amendment 11

Historic District Design Standards

From: Lebanon Heritage Commission

1 The purpose of this amendment is to provide more guidance to the Heritage Commission when
2 making decisions and to the applicant when applying for a Certificate of Approval. The
3 ordinance provides a framework for the protection of properties and the distinct characteristics
4 of the historic district to ensure they are preserved.

5 6 7 8 SECTION 408 HISTORIC DISTRICT.

9 10 408.1 Authority.

11
12 This section is enacted pursuant to RSA 674:46. The City of Lebanon Heritage Commission
13 shall have the authority granted to it by RSA 674:44-a through d, et. seq., and this Ordinance.

14 15 408.2 Purposes.

16
17 The purpose of this Ordinance is to preserve the ~~heritage-historic~~ and cultural resources of the
18 City of Lebanon and, particularly, the City's structures and places of historic, architectural and
19 community value in order to:

- 20
21 A. Establish and preserve districts in the City which reflect elements of its cultural, social,
22 economic, political, community, and architectural history;
23
24 B. Conserve property values in such districts;
25
26 C. Foster civic beauty;
27
28 D. Strengthen the local economy; and,
29
30 E. Promote the use of historic districts for the education, pleasure, and welfare of the
31 citizens of the City.

32 33 408.3 Delineation of Historic Districts.

34
35 The areas and boundaries of the Historic Districts are shown on the Historic District Map of the
36 City of Lebanon and made a part of this Ordinance and the Official Zoning Map of the City of
37 Lebanon. The Historic District Map is attached hereto as Appendix C.

38 39 408.4 Certificate of Approval Required.

40
41 A Certificate of Approval shall be obtained from the Heritage Commission in the manner set
42 forth herein prior to the commencement of any of the following activities within any Historic
43 District:

- 44
45 A. The construction of any new **building**;

Amendment 11

Historic District Design Standards

From: Lebanon Heritage Commission

B. The addition to, alteration, or repair of any existing **building, lot or structure** which would require the issuance of a building permit pursuant to the provisions of the Lebanon Building Code, unless such addition, alteration, or repair does not, in any way, alter the exterior or appearance of such **building, lot or structure**;

C. The following activities, whether or not a building permit is required for such activities:

1. Roofing or re-roofing if it involves a change of design, materials or the roof plane ~~is changed~~;

2. Siding, including new and re-siding, if it involves a change of design or materials;

3. Painting if applied to a previously unpainted surface;

43. Replacement of doors and windows if it involves changes in the material, size, location, or number of openings in the exterior or facade of a building;

54. Replacement or enclosure of porches, decks, and patios if it involves a change in size, location, design, and/or materials;

65. Replacement of exterior stairs, landings, and overhangs if it involves a change in size, location, design, and/or materials;

7. Construction of or alteration to fences, walls, fountains, sculptures, monuments, permanent freestanding lighting, or similar manmade features if it involves a change of location, design or materials;

86. Demolition or moving of a **building** or **accessory building**.

No building permit (when applicable) shall be issued prior to the receipt of a Certificate of Approval for the above-described activities.

408.5 Activities Not Requiring Certificates of Approval.

The following activities are exempt from review by the Heritage Commission, and no Certificate of Approval shall be required:

A. Any repairs, alterations, or improvements that do not require a building permit pursuant to the Lebanon Building Code with the exception of the activities described in Section 408.4 herein;

B. Any repairs, alterations, or improvements to the interior of the **building**;

Amendment 11

Historic District Design Standards

From: Lebanon Heritage Commission

- ~~C. The re-roofing of a **building**, provided that the roof plane remains the same;~~
~~D. Painting or re-painting of the interior or exterior of any **building**; and,~~
~~E. Landscaping or fencing.~~

408.6 Criteria For Review.

In determining whether or not to grant a Certificate of Approval, the Heritage Commission shall keep in mind the purpose set forth in Section 408.2 herein and shall consider, among other appropriate factors, the following:

- A. The historical or architectural value of a **building** and its setting;
- B. In connection with additions, repair or restoration of any existing **building**, the compatibility of the exterior design, arrangement, texture, and materials proposed to be used in relationship to this existing **building**, its setting, and the Historic District as a whole; and,
- C. The size, scale, and design of proposed construction in relationship to the existing surroundings, including consideration of such factors as a **building's** overall height, width, street **frontage**, number of stories, type of roofs, facade openings (windows and doors), and **architectural details**.

When the Heritage Commission determines that it is necessary or advisable in order to preserve or protect historically and/or architecturally significant buildings, the Commission may require preservation and/or accurate reproduction of exterior architectural features. Preservation and/or reproduction measures shall be completed pursuant to the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" (as of 9/3/2025):

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

Amendment 11

Historic District Design Standards

From: Lebanon Heritage Commission

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Applications for Certificates of Approval may be denied if such denial is required to prevent construction or development which would conflict with the stated purposes of Section 408.2 herein.

408.7 Application Procedures.

The following procedures and any rules of procedure duly adopted by the Heritage Commission shall be followed in processing applications for Certificates of Approval:

- A. Written application for Certificates of Approval shall be made no later than 12:00 noon of the 15th calendar day prior to a regularly scheduled meeting of the Heritage Commission (to include the meeting date of the Commission) on forms provided by the Zoning Administrator, and the applicant shall pay an application fee as adopted by the City Council. The application may be filed simultaneously with any other application or request for City land use permits, and the issuance of a Certificate of Approval shall not be a precondition to the issuance of any other City land use permit with the exception of a building permit, when applicable.

Amendment 11

Historic District Design Standards

From: Lebanon Heritage Commission

B. There shall be a public hearing on all applications for Certificates of Approval. The applicant and all **abutters** shall receive a notice of the public hearing by certified mail, and a public notice of the hearing shall be posted in at least two public places and shall be published in a newspaper of general circulation in the City of Lebanon. Said notice shall be given not less than five days, nor more than 30 days, before the date of the hearing.

C. At its meeting, the Commission shall review the application for completeness as specified in Section 408.8 herein. If the application is determined to be complete, then the Commission shall vote to accept the application and commence with the public hearing. If the application is not complete, then consideration of the application shall be suspended until it is complete.

D. The Commission shall review the application using the criteria set forth in Section 408.6 herein, and then shall act to approve, approve with conditions, or disapprove the application. In reviewing the application, the Commission may request reports and recommendations regarding the feasibility of the applicant's proposal from the Planning Board, Fire Chief, Building Inspector, Health Officer, and other administrative officials who may possess information concerning the impact of the proposal on the Historic District. The Commission may also seek advice from professional, educational, cultural, or other groups or persons as may be deemed necessary for the determination of a reasonable decision.

E. Within 45 calendar days from the filing of the application, unless the applicant agrees, in writing, to a longer review period, the Commission shall notify the applicant, in writing, of its action by means of the Certificate of Approval or Notice of Disapproval sent by certified mail. In case of disapproval, the Commission shall clearly set forth in a Notice of Disapproval the reasons for its action, with specific reference to standards contained in this Section.

F. Simultaneously with notifying the applicant, the Commission shall file a copy of the Certificate of Approval with the Zoning Administrator and the Building Inspector. The Building Inspector shall not issue a building permit for any activity in an Historic District requiring a Certificate of Approval until receipt of said Certificate. In the case of a disapproval, the Notice of Disapproval shall be binding on the Building Inspector or other duly delegated authority and no permit shall be issued.

G. Failure of the Commission to file said Certificate within the specified period of time shall constitute approval by the Commission.

408.8 Submittal Requirements.

Amendment 11

Historic District Design Standards

From: Lebanon Heritage Commission

All applications for a Certificate of Approval shall contain a written description of the work or activity for which approval is requested, together with plan and elevation drawings to scale and, where appropriate, photographs which, together, shall be sufficient to reasonably inform the Heritage Commission as to the type or nature of the activity applied for, the location of the activity, and the effect or impact on the exterior of the building(s) involved.

408.9 Removal or Demolition of Buildings.

No **building** shall be demolished or moved off its **lot** within any Historic District until, [following receipt of a Certificate of Approval](#), at least one publication of notice of such demolition or removal has been published by the owner in a newspaper of general circulation in the area in which the **building** and **lot** are located, such notice to be published not less than 30 days prior to the date of such demolition or removal.

The purpose of this provision is to further the purposes of Section 408.2 and to afford a person or organization the opportunity to acquire, or to arrange for the preservation of, such **building**.

Notwithstanding the above, upon application to the City Building Inspector, any **building** substantially damaged as a result of fire or other disaster or constituting a public safety hazard shall be exempt from the provisions of this section.

408.10 Appeal.

Any person aggrieved by a decision of the Heritage Commission shall have the right to appeal said decision to the Zoning Board of Adjustment as provided by RSA 677:17. Such appeals shall be filed with the Zoning Board of Adjustment within 20 days of the filing of the Certificate of Approval or Notice of Disapproval with the Building Inspector.

408.11 Enforcement.

The provisions of this Section 408 shall be enforced as provided by State law and pursuant to Section 903 of this Ordinance.

Amendment 12

Mobile Food

From: Food Truck Task Force and Staff

The purpose of this amendment is to create a new section of the zoning ordinance that lays out the rules and regulations for Mobile Food Service Vending in Lebanon. This proposed amendment is the result of the work from the Lebanon Food Truck Task Force.

Mobile Food Service Vending

DEFINITIONS (APPENDIX A)

MOBILE FOOD SERVICE VENDING – The preparation and/or dispensation of food or beverages by a **mobile food service vendor** from a **mobile food service unit** for immediate service and/or consumption.

MOBILE FOOD SERVICE VENDOR(s) - Any person, including an employee or agent of another, who prepares and/or dispenses food or beverages from a **mobile food service unit** for immediate service and/or consumption.

MOBILE FOOD SERVICE UNIT – Any vehicle that is (a) self-propelled or that can be pulled or pushed down a street or sidewalk and (b) utilized by a **mobile food service vendor** for the purpose of preparing and/or dispensing food or beverages for immediate service and/or consumption.

STAND VENDING – The sale of food, beverages, goods, or merchandise from a **stand**.

STAND - Any newsstand, table, bench, booth, rack, handcart, pushcart, or any other fixture or device which is not required to be licensed and registered by the NH Department of Motor Vehicles, used for the display, storage, or transportation of articles offered for sale by a **stand vendor**.

STAND VENDOR(s) - Any person, including an employee or agent of another, who sells or offers to sell food, beverages, goods, or merchandise from a **stand** with a vendor license issued by the City.

VENDOR(s) - Any person who is a **mobile food service vendor** or **stand vendor**.

PERMITTED ZONING DISTRICTS (Article III)

CB

LD

GC

GC-1

IND-L

MC

MC-2

Amendment 12

Mobile Food

From: Food Truck Task Force and Staff

STANDARDS FOR USE (Article VI)

SECTION 614 MOBILE FOOD SERVICE

- A. The purpose of this section is to provide opportunities for **mobile food service vending** and **stand vending** within certain non-residential areas in the City.
- B. **Mobile food service vending** and **stand vending** shall be a permitted use in the Central Business, Lebanon Downtown, General Commercial, General Commercial-One, Light Industrial, Medical Center and Medical Center - 2 Zoning Districts provided the following standards are met:
- C. Prior to beginning operations, property owner(s) must obtain a Zoning Permit which shall be valid for one (1) year. An application for a Zoning Permit shall include the following:
1. A site drawing of the property identifying existing and proposed conditions.
 2. The location of the **mobile food service vendors** and **stand vendors**, utility connections, and compliance with setback requirements.
 3. The location of any seating, tables garbage receptacles or similar customer amenities.
 4. A safety plan for each **mobile food service vendor** and **stand vendor**. The plan shall include the location of barriers, caution cones, or similar safety items that are to be deployed to ensure that patrons can safely interact with the **mobile food service unit** or **stand vendor**. Safety measures shall be scaled to protect patrons based upon traffic conditions.
 5. A site parking calculation showing the total number of parking spaces on the site, the number and location of parking spaces assigned to each of the **mobile food service vendors** and **stand vendors** upon the lot.
 6. Hours of operation, and days of the week and months of operation. Operation of a **mobile food service vendor** and **stand vendor** is limited to the hours between 7:00 AM and 9:00 PM daily.
 7. The location of **sandwich boards signs** if applicable.
 8. Written permission of the landowner consenting to the proposed operation.
 9. Identify a plan for the disposal of wastewater and garbage.
 10. The landowner may reapply for a Zoning Permit on an annual basis.
- D. **Mobile food service vendors** and **stand vendors** shall not:
1. Be located within 25 feet of a handicap accessible parking space, fire hydrant, fire escape, bus stop, loading zone, driveway entrance or a **residential district**.
 2. Be located in a manner that creates hazardous travel conditions or impedes the operations of police, fire, or emergency services, or the flow of automobile traffic or pedestrian traffic.

Amendment 12

Mobile Food

From: Food Truck Task Force and Staff

3. Block access to or occupy any portion of any handicap accessible parking space or access ramp.
 4. Utilize an open fire without permission of the property owner and a permit from the Lebanon Fire Department.
 5. Shout, make an outcry, blow a horn, ring a bell, or use any other sound device for the purpose of attracting attention to any goods which the **vendor** proposes to sell.
 6. Inappropriately dispose of wastewater and garbage including but not limited to dumping in open stormwater drains.
- E. Utilities for **mobile food service units** and **stands** shall be self-contained and shall not connect to City sewer and water nor dispose of waste in storm sewers. External portable generators or other noise emitting equipment shall not be operated prior to 9:00 AM on weekdays and Saturdays nor prior to 12:00 noon on Sundays and must not operate after 9:00 PM daily.
- F. The maximum number of **mobile food service units** and **stands** allowed on any one **lot** shall be determined by the lot size and the amount of available space on the **lot**.
1. For **lots** that require more than 40 parking spaces per Section 607, **mobile food service unit(s)** and/or **stand(s)** may be located in parking areas. No more than 10 percent (10%) of parking spaces may be utilized to locate **mobile food service units** and **stands**. A minimum of 4 parking spaces and a maximum of 6 parking spaces per vendor shall be provided.
 2. For lots with fewer than 40 parking spaces per Section 607, one **mobile food service unit and / or stand** is permitted. A minimum of 4 parking spaces must be available to accommodate the use.
 3. On lots with fewer than 40 parking spaces, one **mobile food service units and stand** and shall provide a minimum of 2 off street parking spaces for patrons.
- G. Notwithstanding the provisions of Section 608.6 (Temporary Signs), **mobile food service units** and **stands** are limited to the placement of no more than 2 **sandwich board signs** for each **mobile food service unit and stand** when the operation is open. Feather flags, balloons, inflatables, pennants, ribbons, streamers, and spinners or other similar devices which may move or swing as a result of wind pressure are prohibited.
- H. Utilization of a public right of way or public property for operation of a **mobile food service unit** or **stand** is permitted pursuant to *Chapter 179 Vendors* of the City Code. The City of Lebanon Recreation, Arts and Parks Department in conjunction with the City Manager's Office may permit **mobile food service units** and **stands** within the confines of a city park or city recreation facility irrespective of the underlying Zoning District.

Food Truck Comments:

- 614.C.6 allows food trucks to operate from 7a-9p. Would it make sense to allow them to operate with hours similar to whatever else might be on the same lot? For example, if a food truck set up near the movie theater, would it make sense to allow them to operate until the last movie finishes, even if that is after 9pm?
- I appreciate [REDACTED] comment about not setting up near crosswalks, even though most private lots subject to zoning don't have them. To the extent you insert language to that effect, it seems like 614.D.2 is the right place.
- 614.E does not allow the use of portable generators before 9am, so how is a food truck supposed to operate as early as 7am as allowed in 614.C.6?
- 614.F.3 – I'm not sure why this is different than F.2. Also in F.3, do the patron parking spaces count against the available parking for whatever else is on the lot? (I suppose I question the need to require dedicated food truck patron parking in general.)
- 614.F – on the parking space references, you might need to clarify if that refers to parking spaces occupied by the vendor/stand, or whether that is parking spaces to be made available for patrons.
- 614.G – What about an "open" flag?
- 614.H – maybe "public property" is sufficient, but could we use the term "municipally-owned" instead of "city park or city recreation facility"? I'm thinking of parts of Sachem Field and Champion Rink, owned by the Town of Hanover, that might be appropriate for a food truck when there is a soccer jamboree or other sporting event underway. Using 'City' would presumably exclude the Town.

Section 614 C covers traffic considerations more clearly to ensure that the food truck's position does not obscure crosswalks (is this more relevant to D? so, it should not be 25' within or before a crosswalk?). It's just not clear enough in D2 to cover this concern?

Regarding generators, it should add "other noise AND EXHAUST emitting equipment..." and restrict those units to not be allowed within 50' feet of areas of congregation such as playgrounds.

- I understand that during farmer's markets etc generators are all over the place, but to essentially have a pretty unclean diesel generator constantly idling next to the Colburn playground renders it extremely unpleasant/unsafe, especially for vulnerable individuals (asthma, etc)
- I also understand that may limit which food trucks would be allowed in the very popular food truck spot next to the Colburn playground. Could that space be relocated to E Park St near the bandstand? It would be safer there in other ways too.
- NH already has regularly elevated PM air quality – not to add that which comes from CO, Nox and PM from generators
- There are alternatives <https://www.fastcompany.com/90964731/these-food-trucks-are-ditching-noisy-smelly-polluting-generators-and-going-electric> "A single ice cream truck with a diesel generator emits the equivalent of burning 83 pounds of coal a day, according to Wagoner. (Diesel generators also emit toxic air pollutants including carbon monoxide, particulate matter, and nitrogen oxide.)" and many others have identified this as an issue, e.g., <https://energy.policyplatform.news/environment/policymakers-offer-carrot-help-food-trucks-curb-emissions>



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Planning and Development Department Staff

RE: Proposed Zoning Amendments 14-16; Text Amendments

DATE: December 23, 2025

Zoning Amendments 14-16 are the proposed amendments that are brought before City Council from Lebanon Planning Staff. The origin of these amendments come from “lived experience”. These are to correct problem areas in the Zoning Ordinance staff discovered from the lived experience using the Zoning Ordinance in real life applications.

These proposed amendments were presented to Council at the October 1, 2025, meeting. The proposed amendments were sent to further review to the Land Use Boards, Planning Board, Zoning Board of Adjustment, and Conservation Commission, pursuant to the process outlined in Section 1000 of the Zoning Ordinance. As well as being reviewed at public land use board meetings, Planning Staff also held two public information sessions on December 2nd at City Hall, and December 16th at the Kilton Library.

Staff propose these amendments be heard by Council and the public at the February 4, 2026 City Council Meeting.

Amendment 14: Section 608: Signs; Definitions: Window Signs & regulatory streamlining

The purpose of this amendment is to update the sign ordinance to mitigate issues and concerns planning staff has experienced firsthand. The goals are to make this ordinance clearer to understand for the sign permit applicant and easier for planning staff to enforce. One new element to the ordinance is the regulation of window signs. A new sign fee is added to the Zoning Ordinance. City Council will need to add the fee to Chapter 68.

Amendment 15: Section 411: Pattern Zones Overlay District

The purpose of the proposed changes to the Pattern Zones Overlay District is to give the residents who want to participate in the program more choice. The approved ordinance required residents to use the Plan Book, but several issues came up within the first few months of approval that made staff realize there needed to be more options to allow the participants to build what they desire. The proposed amendment requires the creation of a Plan Book by the Heritage Commission and gives an option for those wishing to use their own designs. The second option allows participants to get their own plans approved through the Heritage Commission by following design guidelines. Also, the proposed

flexibility with the Plan Book creates an approval process for 3 or 4 family structures, which are permitted in the Pattern Zones Overlay district with a Special Exception.

Amendment 16: Section 509: Cottage Cluster Developments

The purpose of this amendment is to allow greater flexibility for those wishing to build a Cottage Development. The amendments are derived from the lived experience of the Barrows Street City project which followed the regulations on its pathway to approval. One public comment was made regarding Cottage Court Developments:

- Any consideration given to making the higher lot coverage allowed by CUP instead of by Special Exception? Might eliminate a trip to the ZBA.

The reference was to allow for greater lot coverage between 60% and 80% by Conditional Use Permit rather than Special Exception. Above 80% lot coverage will remain as a variance. The recommended change has been incorporated into the final proposed changes. Making this swap will streamline approvals with one land use board rather than requiring two.

Approval Procedure:

As drafted, the proposed Council Amendments will not alter the zoning district designations or alter the Table of Uses or the Table of Area, Dimensions, and Coverage for a Residential or Rural Lands zoning districts within the City. As a result, no referendum vote is required for the proposed Council Amendments pursuant to Section 1000.4.A

Adoption of the proposed Council Amendments is recommended at this time in accordance with the procedures outlined in Section 1000.4.B as follows:

Article X, 1000.4 Action Upon Proposed Zoning Amendments.

Any proposed zoning amendment shall be acted upon and adopted or rejected as follows:

B. Action by the Council: The Council shall act on any proposed Zoning amendment not requiring a referendum vote in which case adoption of the Zoning Amendment shall require a majority vote of five members of the City Council; or alternatively, the Council may decide that such an amendment shall be submitted to the voters at the annual City election, even though such a referendum is not required.

Included in this Packet:

1. Larger Text Amendments:
 - a. **Amendment 14**: Section 608 "Signs"
 - b. **Amendment 15**: Section 411 "Pattern Zones Overlay District"
 - c. **Amendment 16**: Section 509 "Cottage Developments"

2. Comments and Minutes from the Land Use Boards' Reviews
3. Legal Opinion Letter for City Sponsored Amendments

Amendment 14

Signs

From: Zoning Staff

1 The purpose of this amendment is to update the sign ordinance to mitigate issues and concerns
2 planning staff has experienced firsthand. The goals are to make this ordinance clearer to
3 understand for the sign permit applicant and easier for planning staff to enforce. One new
4 element to the ordinance is the regulation of window signs. A new sign fee is added to the
5 Zoning Ordinance. City Council will need to add the fee to Chapter 68.

6 7 SECTION 608 SIGNS.

8 608.1 Purpose and Intent.

9
10 The purpose of this Section is to create the legal framework for a comprehensive and
11 balanced system of **signs** in order to:

- 12 • further the goals of the Lebanon Master Plan;
- 13 • preserve the right of free speech and expression;
- 14 • provide easy and pleasant communication between people and their environment;
- 15 • avoid excessive levels of visual clutter or distraction that are potentially harmful to
16 property values, business opportunities, and community appearance;
- 17 • assure that public benefits derived from expenditures of public funds for the
18 improvement and beautification of streets, and other public structures and spaces,
19 are protected by exercising reasonable controls over the character and design of
20 **sign** structures;
- 21 • help to allow the free flow of traffic and protect pedestrians, bicyclists, and
22 motorists from injury and property damage caused by, or which may be fully or
23 partially attributable to cluttered, distracting, or illegible signage; and
- 24 • promote the use of **signs** which are aesthetically pleasing, of appropriate scale,
25 and integrated with surrounding **buildings** and landscape, in order to meet the
26 community's expressed desire for quality development.

27
28 With these purposes in mind, it is the intent of this Section to authorize the use of **signs**
29 that are:

- 30 • compatible with their surroundings;
- 31 • appropriate to the activity that displays them;
- 32 • expressive of the identity of individual activities and the community as a whole;
- 33 • legible in the circumstances in which they are seen;
- 34 • unlikely to distract drivers to a dangerous degree; and
- 35 • able to preserve the right of free speech and expression.

36 37 608.2 General Provisions.

38
39 A. Signs Prohibited. **Signs** are prohibited in all zoning districts unless the **sign** is:

- 40
41 1. Constructed pursuant to a valid ~~building~~ **Sign Permit** when required under

Amendment 14

Signs

From: Zoning Staff

this Section; and

2. Authorized under this Section or the City of Lebanon Code Ch. 152, Article IV and in compliance with all applicable regulations of this Section.

B. Building Sign Permit Required. A building **Sign** permit from the Planning Department is required prior to the display and erection of any **sign**, except as provided in Section 608.7 ("Signs Allowed Without a Building Sign Permit"). Every building **Sign Permit** application shall include:

1. A photograph of any existing **signs** to be replaced **refaced**, and the **sign area** and dimensions of each **sign** to be replaced **refaced**.
2. A drawing to scale of each proposed **sign**. Each rendering shall identify:
 - a. the total **sign area** in square feet;
 - b. the dimensions of the **sign** in feet and inches;
 - c. the height of the **sign**;
 - d. the proposed location of the **sign** on the **building**, if applicable;
 - e. construction materials; and
 - f. landscaping specifications, if applicable.
3. A scaled plot plan of the **lot** depicting the proposed location of any **freestanding sign** and any associated landscaping.
4. Specifications for the construction or display of the **sign** and for its illumination and mechanical movement, if any.
5. Where **internal illumination** is proposed, documentation necessary to demonstrate compliance with Section 608.4.A.6 ("Illumination").
6. All applicable dimensions, measurements, and sign area calculations required to support the approval of the sign permit requested.

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 of luminance complaint, the Planning and Development Department may request a certification of the brightness of 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 within twenty-four (24) hours of a request to do so by the City, and the sign shall remain off until the brightness or luminance of the sign is brought into compliance.

Amendment 14

Signs

From: Zoning Staff

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- D. Clear Vision & Movement. No **sign** may obstruct visibility or movement of vehicles or pedestrians, or otherwise cause any hazard to any person or property. ~~and a~~ All **signs** are subject to the requirements of Article II, Section 206, "Sight Distance at Street Intersections" **except when the following conditions are met an administrative approval by the Zoning Official may be made:**
1. A freestanding sign or portion thereof to be placed in a commercial or industrial district is not within ten feet of a street, sidewalk, crosswalk, driveway, driveway exit stop line, bus stop, or other similar improvement and
 2. Clear sightlines are demonstrated by a sightline drawing, and
 3. No sign or portion thereof is within the public right of way.
- E. Maintenance. All **signs** shall be maintained in good condition and repair at all times. Such maintenance shall not require a building permit unless the repairs include electrical work.
- F. Sign Setback. The requirements of ARTICLE II, "General Provisions," shall not prohibit the location of a **sign** in a **front, side** or **rear yard**, nor shall those minimum setbacks apply to **signs**.
- G. No Discrimination Against Non-Commercial Signs or Speech. The owner of any **sign** which is otherwise allowed under this Section and which has obtained a building permit may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary. This provision does not create a right to increase the total amount of **sign area** permitted on a **lot**.
- H. Outdoor Recreational Facilities. **Outdoor recreational facilities** are exempt from this Section except that:
1. any **sign** erected on the **lot** of an **outdoor recreation facility** shall be subject to the prohibition of **non-static signs** set forth in Section 608.3.D, the requirements of Section 608.2.D ("Clear Vision & Movement"), and the requirements of Section 608.2.E ("Maintenance");
 2. all **signs** shall be principally oriented towards the playing field or seating areas, except that one (1) sign having a **sign area** of no greater than thirty (30) square feet may be permitted without such restriction; and
 3. one (1) **digital sign** is allowed per **outdoor recreation facility** provided that the **digital sign** is principally oriented towards the playfield or seating

Amendment 14

Signs

From: Zoning Staff

area, and provided that a building permit is obtained in accordance with Section 608.2.B ("Building Permit Required"). Such **sign** shall be illuminated only during an activity or event taking place on the field, and shall have no greater than 102 square feet of **sign area** and, if **freestanding**, a height of no greater than twelve (12) feet.

608.3 Prohibited Signs.

The following are prohibited:

- A. **Off-premise signs**, except as may be permitted per Sections 608.6.A.1 and 2. A **sign advertising** an on-site use that has ceased operation or vacated the **lot** shall be considered an **off-premise sign** after a period of 180 consecutive days following the discontinuance of the use and shall be removed as required by Section 608.8.C.3.
- B. **Signs** located within **public streets**, or **rights of way** except as set forth in Section 608.4.A.5.b (projecting signs in the CB and LD Districts) and Section 608.6.A.5 (**sandwich board sign** regulations) and as may otherwise be allowed pursuant to Chapter 152 ("Streets and Sidewalks") of the Code of the City of Lebanon.
- B. **Illumination of signs** except as may be permitted by and in accordance with Section 608.4.A.6 ("Illumination").
- C. **Non-static signs**, except **digital signs** as may be permitted according to Section 608.2.H.3 and Section 608.4.A.7 ("Freestanding Digital Signs").
- D. **Portable signs**, except **temporary signs** as may permitted by Section 608.6 ("Temporary Signs").
- E. Feather flags, balloons, inflatables, pennants, ribbons, streamers, and spinners or other similar devices which may move or swing as a result of wind pressure, whether part of a **sign** or not, except as may be permitted by Section 608.6 ("Temporary Signs").
- F. **Signs** of a size, location, movement, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street **sign** or signal.
- G. **Roof signs.**
- H. Laser displays.

608.4 Non-Residential Uses.

Amendment 14

Signs

From: Zoning Staff

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:

1. Maximum Permitted Sign Area.

a. Sign Area for a single occupant Principal Building. The maximum **sign area** permitted for a **principal building** is the greater of either:

- i. the product of the following formula: [linear width, or **frontage**, of the **principal facade** in feet] multiplied by 0.8 = [x] square feet; or
- ii. the product of the following formula: [total area of the **principal facade**] multiplied by .05 = [x] square feet.

There is no limit on the number of individual **signs** that may be affixed or attached to a **principal building** provided that the total **sign area** of all such **signs** combined does not exceed the maximum permitted **sign area** determined pursuant to the above formulas.

b. Sign Area for Freestanding Signs. **Sign area** for **freestanding signs** shall be determined pursuant to Section 608.4.A.4 and shall be allowed in addition to the maximum permitted **sign area** for a **principal building** determined pursuant to Section 608.4.A.1.a.

c. Sign Area for Lots Having No Buildings. A **lot** without **buildings** may display up to 15 square feet of **sign area**.

d. Strip Plazas and Multi-Tenant Buildings. For purposes of calculating maximum permitted **sign area per tenant** pursuant to Section 608.4.A.1.a, a **façade** of a **strip plaza** that faces interior to the **lot** may be considered the **principal facade** in place of any other **principal facade**. Each Tenant is allowed to have a maximum amount of signage pursuant to the product of the following formula:

- i. [linear width, or frontage, of the portion of the principal facade occupied by the tenant in feet] multiplied by 0.8 = [x] square feet; or
- ii. [total area of the principal façade occupied by the tenant] multiplied by .05 = [x] square feet.

~~e. Multi-Tenant Buildings. The maximum **sign area** permitted for a **multi-tenant building** in existence as of January 20, 2021 is the greater of either:~~

Amendment 14

Signs

From: Zoning Staff

-
- i. ~~the total **sign area** allowed pursuant to Section 608.4.A.1.a; or~~
- ii. ~~the total **sign area** of all existing legal **signs** on the **building** as of January 20, 2021. For any vacant tenant spaces as of January 20, 2021, the **sign area** utilized by the immediate prior tenant may be included in the calculation of permitted **sign area** under this subsection.~~
- f. Multiple Principal Facades. Where a **building** has multiple **principal facades**, the each **facades** or **tenant occupied portion thereof** may be combined for purposes of calculating the maximum permitted shall not exceed the permissible **sign area** per Sections 608.4.A.1.a or 608.4.A.1d.
- g. Window Signs: Each business having windows shall not cover more than twenty-five (25) percent of the glass area of each window with signage/advertising and are subject to the following:
- i. Animated illumination or effects, electronic, blinking, flashing, and/or scrolling window signs shall be prohibited.
 - ii. Illuminated signs shall conform to the performance requirements of 608.4.A.6 Illumination.
 - iii. Window sign square footage does not count to the sign area calculation of a façade or tenant occupied portion thereof per sections 608.4.A.1.a or 608.4.A.1d.
 - iv. Window signs do not require a sign permit.
2. Sign Types Permitted. The following **sign** types are permitted in the **commercial** and **industrial districts**:
- a. **wall signs**;
 - b. **freestanding signs**;
 - c. **projecting signs**; and
 - d. **Window signs**
3. Wall Signs. **Wall signs** in the **commercial** and **industrial districts** shall be subject to the following regulations:
- a. One or more **wall signs** may be displayed on any wall of any principal **building** on a **lot**, provided that the total **sign area** displayed on any

Amendment 14

Signs

From: Zoning Staff

single **building** wall is limited to the total **sign area** that would be permitted for that wall based on the formula set forth in Section 608.4.A.1.a, whether or not it is a **principal façade**.

b. The **sign area** of a **wall sign** may not exceed 100 square feet.

c. **Wall signs** shall not extend above the highest point of the main roof or **parapet** of the **building** or be affixed to a **parapet** more than four feet above the roof of the **building**.

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	MC 2
height	25 ft.	12 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.	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.

b. Design Standards.

Amendment 14

Signs

From: Zoning Staff

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- i. Landscaping. A landscaped area located around the base of a **freestanding sign** equal to two and one-half square feet for each square foot of **sign area**, is required for all **freestanding signs**. The landscaped area shall contain living landscape material consisting of native shrubs and/or annual or native perennial **ground cover** plants placed throughout the required landscape area and having a spacing of not greater than three (3) feet on center. Where appropriate, the planting of required deciduous or evergreen **trees** installed in a manner which frames or accents the **freestanding signs** structure is encouraged.
 - ii. Spacing. **Freestanding signs** must be spaced at least 150 feet apart on **public streets** with posted travel speeds under 40 miles per hour, and at least 300 feet apart on **public streets** with posted travel speeds of 40 miles per hour and over.
 - c. A PUD or **planned business park** may have a **freestanding sign**, which **sign** shall have a maximum size and height as set forth above and shall be subject to all other applicable regulations herein.
 - d. A lot within 100 feet of the Interstate 89 right-of-way with an existing **freestanding sign** that is legal non-conforming due to its height and which has a minimum height of 50 ft. may have one additional freestanding sign which shall have a maximum size and height as set forth above and shall be subject to all other applicable regulations.
 - e. Freestanding Digital Signs. **Freestanding Signs** may incorporate a **digital sign** subject to the following:
 - i. **Freestanding digital signs** are only allowed in the General Commercial (GC) district on properties with frontage on the following streets:
 - Mechanic Street
 - Miracle Mile
 - Plainfield Road
 - South Main Street
 - ii. No more than one (1) display per hour shall be allowed
 - iii. Displays shall contain static messages only

Amendment 14

Signs

From: Zoning Staff

- iv. ***Freestanding Digital Signs*** shall be programed to automatically freeze in a single display in the event of a malfunction or computer/system error.
- v. 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.
- vi. The ***digital sign*** and ***freestanding digital sign*** may be no larger than 50% of the ***sign area*** of the ***freestanding digital sign***
- vii. No ***freestanding digital sign*** may be located within one hundred (100) feet of a residential dwelling
- viii. ***Freestanding digital signs*** shall operate with no more than 0.3 footcandles at the property line
- ix. 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.

5. Projecting Signs.

- a. GC District, GC-1 District, and Industrial Districts. Projecting signs in the GC District and the ***industrial districts*** shall be subject to the following regulations:
 - i. One or more ***projecting signs*** may be displayed on any wall of any ***principal building*** on a ***lot*** provided that the total ***sign area*** displayed on any single ***building*** wall is limited to the total ***sign area*** that would be permitted for that wall based on the formula set forth in Section 608.4.A.1.a, whether or not it is a ***principal façade***.
 - ii. The ***sign area*** of a ***projecting sign*** shall not exceed sixteen (16) square feet.

Amendment 14

Signs

From: Zoning Staff

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- iii. **Projecting signs** shall project from the wall at an angle of ninety (90) degrees.
- iv. **Projecting signs** shall not extend above the highest point of the main roof or **parapet** of the **building** nor be affixed to a **parapet** more than four (4) feet above the roof of the **building**.
- b. CB and LD Districts. Because of **building coverage** and development density in the CB and LD Districts, businesses located therein may not be able to erect **freestanding signs** or **projecting signs** which do not hang over a public sidewalk. Thus, within the CB and LD Districts **projecting signs** may hang over a public sidewalk, subject to the following limitations:
- v. A **building** may have no more than one such **projecting sign** for each **building** entrance which accesses a business located at sidewalk level.
- vi. No such **projecting sign** shall be larger in size than twelve (12) square feet if used to advertise only one business or sixteen (16) square feet if used to advertise more than one business.
- vii. No part of any such **projecting sign** or the fixture to which it is attached shall be lower in height than eight feet six inches (8 feet 6 inches) above the sidewalk nor higher than fifteen (15) feet from the sidewalk. However, in no case shall any part of such a **sign** or fixture be located above the bottom of the second floor window sill.
- viii. No part of any such **projecting sign** or fixture to which it is attached shall project over a public sidewalk more than the greater of three (3) feet or fifty percent (50%) of the width of the public sidewalk, but in no case shall it extend more than six (6) feet over the sidewalk.
- ix. Such **projecting signs** shall not have **internal illumination**.
6. Illumination. **Signs** may have either **external illumination** or **internal illumination**, subject to the following:
- a. Lighting Plan. An applicant for a permit to illuminate a **sign** must submit a plan to the Planning Department showing the illumination plan including the effect of the illumination on any other property that might be affected by the light.

Amendment 14

Signs

From: Zoning Staff

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- b. External Illumination. The use of floodlights or spotlights used for the **external illumination** of **signs** shall be mounted above the **sign** targeted for lighting, and illumination shall be properly focused upon and confined to the area of the **sign**.
- c. Internal Illumination. **Internal illumination** of **signs** shall be designed with an opaque background so that only the lettering, symbols (i.e. logos), or design shall appear to be lighted.
- d. Maximum Luminance. An illuminated sign shall operate with no more than 0.3 fc at the property line.
- e. Glare. Fixtures used to illuminate **signs** shall be located, aimed, and shielded so as to produce no glare, undue distraction, confusion or hazard to the surrounding area or to vehicular traffic. Glare shall not be perceptible to drivers, pedestrians, bicyclists, and other passers-by within adjacent streets or rights-of-way.
- f. Shielding. Any lighting fixture on a **sign** that is located within ten (10) feet of a **residential district**, or an existing residential use shall be (i) aimed away from the **residential district** or existing residential use; and (ii) shielded on the side closest to the **residential district** or existing residential use.
- g. Hours of illumination. **Signs** may be illuminated any time between 6:00 a.m. and 9:00 p.m. Between 9:00 p.m. and 6:00 a.m. a sign may only be illuminated if and when the business is open to the public.

608.7 Signs Allowed Without a Building Sign Permit.

The following signs (1) are allowed in addition to any other sign permitted by this Section, (2) do not require a building Sign Permit, and (3) are exempt from the requirements of this Section except for the prohibition of non-static signs set forth in Section 608.3.C, the requirements of Section 608.2.D ("Clear Vision & Movement"), and the requirements of Section 608.2.E ("Maintenance"):

A. Temporary signs allowed pursuant to Section 608.6.

B. Any sign erected and maintained by the federal government, the State of New Hampshire, the Lebanon School District or the City of Lebanon in order to effectuate a substantial government interest.

C. Signs that are an important component of measures necessary to protect the public safety and serve the compelling governmental interest of protecting traffic and pedestrian safety, complying with legal requirements, serving the requirements of emergency response, and protecting property rights or the rights of persons on property; specifically, the following:

Amendment 14

Signs

From: Zoning Staff

482 1. Traffic control devices and pavement markings installed and maintained to
483 comply with the Manual on Uniform Traffic Control Devices or other transportation
484 management guidelines adopted by the New Hampshire Department of
485 Transportation.

486 2. A lot with multiple driveways may display one directional sign at each entrance
487 or exit in order to ensure safe and efficient vehicular movement. Such signs may
488 not be more than two (2) square feet on two-lane streets or rights-of-way and on
489 any street with a posted travel speed under 35 miles per hour, and not more than
490 four (4) square feet on multi-lane streets or on any street with a posted travel speed
491 over 35 miles per hour.

492 D. Window signs pursuant to section 608.4.A.1.g
493

494 608.8 Fees

495 A. The City Council shall establish a per square foot sign permit fee in § 68-15.A
496 Enumeration of fees Zoning.
497

498 Add to Definitions:

499 **Window sign:** Any sign that is affixed to the interior or exterior of the window or
500 windowpanes or within five (5) feet of the interior of the window or windowpanes and is
501 visible from the exterior of the structure.

Amendment 15

Pattern Zones Overlay District

From: Zoning Staff

The purpose of the proposed changes to the Pattern Zones Overlay District is to give the residents who want to participate in the program more choice. The approved ordinance required residents to use the Plan Book, but several issues come up with in the first few months of approval that made staff realize there needed to be more options to allow the participants to build what that want. The proposed amendment will still offer a Plan Book but gives a second option for those wishing to use their own designs. The second option allows participants to get their own plans approved through the Heritage Commission by following design guidelines. Also, the draft Plan Book from the consulting firm does not incorporate any 3 or 4 family structures, which we allow in the Pattern Zones Overlay district with a Special Exception.

Section: 411 Pattern Zones Overlay District

Section 411.1 Purpose

The purpose of the Pattern Zone overlay district is to create additional housing that fits the character of the existing neighborhood in Downtown Lebanon and Downtown West Lebanon, to establish and preserve the characteristics of the historical downtown areas of Lebanon and West Lebanon, and to increase density and housing choices in the district.

Section 411.2 Description of Pattern Zones Overlay District

The areas and boundaries of the Pattern Zone Overlay District are shown on the Pattern Zone Overlay District Map of the City of Lebanon and made a part of this Ordinance and the Official Zoning Map of the City of Lebanon. The Pattern Zone Overlay District Map is attached hereto as Appendix D.

Section 411.3 Permitted Uses

The Overlay District regulations are intended to only be used for uses allowed within the Pattern Zone Overlay District Table of Uses Table of Uses. Any nonresidential uses shall adhere to regulations set forth in Article III based on the underlying zoning district.

Pattern Zone Overlay District Table of Uses

Amendment 15

Pattern Zones Overlay District

From: Zoning Staff

Permitted Uses	Special Exception
Residential: 1. Up to 2 One-Family Detached Dwellings 2. Two-Family Dwelling 3. Accessory Dwelling Unit per Section 610 Commercial/Non-Residential 1. Any listed in the Base Zoning District pursuant to Article III.	Residential: 1. Tri-Plex (3 units) 2. Quad-plex (4 units) 3. Townhouses / Rowhomes up to 4 units Commercial/Non-Residential: 1. Any listed in the Base Zoning District pursuant to Article III.
	Conditional Use Permit
	Residential: 1. Cottage Development per Section 509 with a minimum 20,000 sq ft lot

Section 411.4 Table of Areas, Dimensions, and Coverage

Minimum Lot Requirements					Maximum Limitations	
Area	Frontage	Front Yard	Side Yard	Rear Yard	Lot Coverage % of impervious surface	Height
4,000 sq ft	40' on lot that abuts a street; 15' on a flag shaped lot* and; 0' if on rear split lot *Pursuant to 411.6	10' OR pursuant to 411.11 Front Yard	5' / 7.5' (side of structure on a street frontage)	10'	60% 80% with special exception pursuant to 411.8	45'

Section 411.5 Parking

A minimum of one on-site parking space per dwelling unit is required.

Amendment 15
Pattern Zones Overlay District
From: Zoning Staff

Section 411.6 Creating New Lots in the Overlay District

- A. Notwithstanding underlying zoning districts, new lots within the overlay may be created utilizing the overlay lot dimensional requirements.
- B. Creating a flag lot split shall provide 15' of frontage and meet the minimum lot area requirements.
 - 1. Front yard setback requirements shall begin at the point where the lot widens.
- C. The creation of a rear lot without the street frontage required by RSA 674:41 may only be approved if all of the following conditions are met:
 - 1. A perpetual deeded easement in favor of the rear lot to use a driveway across a lot which does have legally-sufficient frontage and identifying maintenance responsibilities shall be submitted with the application for approval by the Planning Board. If the subdivision is approved, the execution and recording of the easement in the registry of deeds shall be a condition of approval.
 - 2. The driveway shall be shown on the subdivision plan.
 - 3. The Planning Board shall determine that the driveway is sufficient for access to the rear lot.

Section 411.7 Shading and Buffers

- A. Preservation of a property's existing trees is encouraged to maintain a natural shade canopy upon the property.
- B. Properties shall be landscaped to achieve a minimum of 30% **shade coverage**.
- C. New houses located with the minimum 5' side yard setback from a property line must have a vegetative buffer.

Section 411.8 Impervious Cover

- A. Within the overlay district, impervious cover shall be limited as follows:
 - 1. The maximum impervious cover shall be up to 60% by right.
 - 2. Maximum impervious cover up to 80% may be permitted by Special Exception pursuant to Section 801.3.
 - 3. For purposes of this overlay district impervious cover shall be defined as: A structure or land surface with a low capacity for infiltration, including but not limited to pavement, roofs, roadways, and compacted soils, that has a Curve Number of 98 or greater.

Amendment 15

Pattern Zones Overlay District

From: Zoning Staff

64 4. Impervious cover determinations when in question shall be made by the City Engineer.

65 B. An applicant for a Special Exception to allow impervious cover up to 80% shall meet the criteria
66 of Section 801.3 in addition to the following:

67 1. A stormwater management plan shall be provided to the Board. The plan must
68 demonstrate that all stormwater is managed and treated onsite with a preference for low
69 impact development stormwater management methods. Applicants may tie into the City's
70 stormwater drain system as may be permitted by the City Code.

71

72 Section 411.9 Snow, Garbage, Fuel Tanks

73 A. A snow storage plan shall be submitted with the application and, if approved, shall be a
74 condition of the approval.

75 B. Garbage/recycling receptacle storage plan shall be submitted with the application and, if
76 approved, shall be a condition of approval.

77 1. Garbage/recycling shall not be stored in the front yard of the property.

78 2. Applicable screening shall be provided.

79 3. If a dumpster is used then it shall be enclosed, stored on a hard surface and meet
80 screening requirements. A dumpster shall meet setback requirements, not interfere with
81 parking, be located in the rear or side yard and beyond the front line of the structure and
82 meet the setback requirements.

83 C. Exterior fuel storage within the overlay shall:

84 1. Meet all zoning setback requirements.

85 2. Fuel storage tanks shall be located within the side or rear yard.

86 3. Underground fuel storage may be located in the front, side or rear yard provided they
87 meet the required yard setbacks.

88 4. Above ground fuel tanks may not be located in the front yard

89

90 Section 411.10 ~~Pattern Book Requirements~~ Design Requirements

91 ~~The architectural plan for a building within the overlay pursuant to these requirements shall be~~
92 ~~selected from the Pattern Zones Book (a catalog of preapproved house plans available through the~~
93 ~~Lebanon Planning and Development Department from 2025-2028).~~

Amendment 15
Pattern Zones Overlay District
From: Zoning Staff

94 A. Design Characteristics make sure any new development matches the existing
95 neighborhood. The following requirements should be followed:

- 96 1. Site changes, such as buildings, driveways, and other new features must not alter the
97 historic character of a neighborhood.
98 2. The location of new construction must be considered carefully in order to follow height
99 and setbacks of existing buildings in the neighborhood.
100 3. New Construction must not destroy character-defining attributes or features of the
101 neighborhood.
102 4. New Construction must match the scale, size, massing, and architectural features of
103 existing buildings in the neighborhood.
104 5. The Relationship between the new construction and existing structures must be
105 protected. Existing buildings must not be isolated from one another by new
106 construction.
107 6. Garages must be located at least 5' behind the front line of the residential structure.
108 7. The applicant must provide evidence that their design matches the character of other
109 residential structures on the street.
110 8. Common Characteristics found in the Overlay District:
111 a. Pitched Roof
112 b. Street-facing primary entrance.
113 c. Front porch or stoop
114 d. Non-split-level designs
115 e. Clapboard, woodlap, vinyl, and/or shingle sidings, stone, and/or brick exteriors in
116 material and/or in appearance

117 B. Review of Projects

- 118 1. Using Pre-Approved Plan Sets
119 a. an applicant may use architectural plans in the "Plan Book" free of charge but is
120 required to apply for building permits, submit a site plan, and other materials as
121 required by the Zoning Official and the Building Official.
122 2. Projects Requiring a Special Exception or CUP.
123 a. Those residential projects requiring a Special Exception or CUP (Section 411.3) will
124 have to submit architectural drawings designed by and stamped by a licensed New
125 Hampshire design professional to be reviewed by the Heritage Commission
126 pursuant to Section 408.7. The Heritage Commission will use the criteria listed in
127 Section 411.10.A to determine the appropriateness of the design and issue a
128 written recommendation to the Zoning Board or Planning Board for their
129 consideration of the Special Exception or Conditional Use Permit.
130 3. If a property owner wishes to use an architecturally designed and stamped plan set
131 not listed in the plan book for a Permitted Use then Heritage Commission approval and a
132 Special Exception from the Zoning Board of Appeals is required. The architecturally

Amendment 15

Pattern Zones Overlay District

From: Zoning Staff

designed and stamped plan set and site plan shall be reviewed and deemed in compliance with Section 411.10 Design Requirements by the Heritage Commission. The Heritage Commission shall issue a written recommendation to the Zoning Board who shall consider the plan set and site plan for a Special Exception.

Section 411.11 Front Yard

- A. The required front yard may be reduced to the average front yard of the existing buildings on the same side of the street in the same block and located within 300 feet of the subject lot, provided that there are at least 2 such buildings. This reduction shall not be allowed for lots fronting on a state highway.
- B. On lots with more than one frontage on an indeterminate lot, the front yard will be determined by the Zoning Administrator based on the orientation of the principal structure on the lot. The corner side with frontage will be considered a side yard and have a setback that is the average of the established front and side setbacks).
- C. On lots with no frontage, the front yard is determined by the Building Official or Zoning Administrator based on the orientation of the principal structure on the lot and the access easement location.

Section 411.12 Approved Designs

- A. The Heritage Commission shall maintain a book of architecturally designed pre-approved plans available for use by the people of Lebanon. Use of a pre-approved plan set shall qualify for the enhanced zoning considerations under the pattern zones overlay district.
- B. Prerequisite to being listed as a preapproved plan a plan shall be:
 - a. Approved by the Heritage Commission.
 - b. Reviewed by and deemed compliant with New Hampshire State Building Code requirements by the Chief Building Official.
 - ~~a-c.~~ Designed by and stamped by a New Hampshire licensed design professional.

C. Submittal of Design for the Plan Book

- a. A design professional wishing to nominate a design for the plan book:
 - 1. Prior to submission to the Heritage commission, submit a complete stamped plan set for administrative review with Planning Department Staff and the Chief Building Official and schedule a meeting to review the plans and discuss it compliance with the design criteria and the building code.

Amendment 15
Pattern Zones Overlay District
From: Zoning Staff

2. Following administrative review, submit a complete stamped plan set, with amendments as required by the administrative review, to the Heritage Commission for the Commissions consideration.

b. The Heritage Commission will use criteria listed in Section 411.10.A. to make a determination if the plan should be included in the Plan Book.

c. The Chief Building Official shall review the Heritage Commission approved plans for Building Code compliance and attach notes to the plans as needed to deem it approved.

SHADE COVERAGE: The percentage of land area covered by leaves, branches, and stems of canopy/shade trees when viewed from above during the summer. New plantings should be measured based on their size at maturity.

Amendment 16

Cottage Developments

From: Barrows Street Development Team and Staff

The purpose of this amendment is to allow greater flexibility for those wishing to build a Cottage Development.

SECTION 509 COTTAGE DEVELOPMENTS.

509.1 Purpose. The purpose of this section is to provide opportunities for single family housing that is small, energy-efficient, and affordable; to allow flexibility in site and design standards while promoting projects that ensure compatibility with surrounding land uses and existing neighborhoods; and to promote sustainability and neighborhood interaction through integrated design.

Cottage developments are intended to serve as part of the City's overall housing strategy to encourage affordability, innovation and variety in housing design and site development while ensuring compatibility with existing neighborhoods, and to promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition and individual needs.

509.2 Applicable Use Districts. **Cottage developments** are allowed by **conditional use** on Class 1 lots in the **Pattern Zones Overlay District**, R-1, R-2, R-3, R-O, and R-O-1, **GC-1** Districts, in accordance with Section 302.4.D and the requirements of this section.

509.3 Number and Arrangement of Units. ~~Cottage developments shall contain a minimum of three (3) and a maximum of sixteen (16) Cottages shall be~~, located in one or more clusters to maximize efficiency of land use and to encourage a sense of community among the residents. Each cluster shall include a minimum of three (3) units and a maximum of sixteen (16) units.

509.4 Lot Size. All **cottage developments** shall have a minimum lot area ~~of 20,000 sq. ft., except in the R-2 and R-3 District, where a minimum lot area of 40,000 sq. ft. shall be required.~~ specified in the underlying zoning district.

509.5 Density and Building Lot Coverage. ~~Permitted density shall be based on 2,500 sq. ft. of lot area per each cottage. The maximum permitted building coverage shall be 35%. The maximum lot coverage shall be 60%. A lot coverage of 60%-80% may be allowed by Conditional Use Permit pursuant to Section 801.3.~~

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 site plan approved by the Planning Board shall delineate a building site for each detached **cottage** of no less than 1,500 sq. ft.

Amendment 16

Cottage Developments

From: Barrows Street Development Team and Staff

- 45
- 46 B. Detached Cottages. At least 50% of the **cottages** in the development shall be
- 47 detached units. The remainder shall be duplexes or rowhomes.
- 48
- 49 C. Interior Setbacks. The minimum setback between units within a **cottage**
- 50 **development** shall be 10 feet, measured from the nearest point of the exterior
- 51 walls.
- 52
- 53 D. Common Open Space. A minimum of 400 square feet of common open space shall
- 54 be provided per **cottage** and per cluster. The common open space area for each
- 55 cluster shall be contiguous and shall abut all of the **cottages** in the cluster.
- 56 **Cottages** shall be oriented around and have their main entry from the common
- 57 open space.
- 58
- 59 E. Roofs and Porches.
- 60
- 61 1. The highest point of the roof of the **cottage** shall not exceed 3024 feet.
- 62
- 63 2. **Cottages** shall have an unenclosed, covered front primary entry and porch
- 64 of at least 60 square feet in size. The front porch shall be oriented toward
- 65 a common open space. The intent of this porch requirement is to create
- 66 outdoor space in each **cottage** that is visually and physically connected to
- 67 the common open space and to other **cottages**.
- 68
- 69 ~~F. Parking Location and Screening Requirements.~~
- 70
- 71 ~~1. Parking areas and driveways shall comply with applicable minimum yard~~
- 72 ~~requirements for the underlying zone.~~
- 73
- 74 ~~2. Parking areas shall be screened from public streets and adjacent~~
- 75 ~~residential uses by landscaping or architectural screening.~~
- 76
- 77 ~~3. Parking areas shall be prohibited in the minimum required front yard.~~
- 78
- 79 ~~4. Parking areas shall be separated from the common open space by~~
- 80 ~~landscaping or an architectural screen.~~
- 81
- 82 G. Existing Dwellings. An existing detached or attached one-family dwelling that is
- 83 incorporated into a cottage development and is nonconforming with respect to the
- 84 standards of this section shall be permitted to remain on a site used for a cottage
- 85 development and shall be considered a **cottage** for purposes of this section.
- 86 However, the extent of the noncompliance may not be increased except unless the
- 87 proposed change is determined by the Planning Board to be consistent in
- 88 character, scale, and design with the cottage housing development.
- 89

Amendment 16

Cottage Developments

From: Barrows Street Development Team and Staff

H. ~~Street Facing Facades. All cottages within 50 feet of a public street shall have street facing facades that avoid blank walls in order to avoid the appearance of “turning their backs” to the street. For all such cottages, a minimum of 25 percent of the street facing façade shall be comprised of windows and/or glass doors.~~



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Planning and Development Department Staff

RE: Proposed Zoning Amendments 17-20; Misc & Technical Amendments

DATE: December 23, 2025

Zoning Amendments 17-20 are the proposed amendments that are brought before City Council from Lebanon Planning Staff. These are minor miscellaneous and technical amendments.

These proposed amendments were presented to Council at the October 1, 2025, meeting. The proposed amendments were sent to further review to the Land Use Boards, Planning Board, Zoning Board of Adjustment, and Conservation Commission, pursuant to the process outlined in Section 1000 of the Zoning Ordinance. As well as being reviewed at public land use board meetings, Planning Staff also held two public information sessions on December 2nd at City Hall, and December 16th at the Kilton Library.

Staff proposes these amendments be heard by Council and the public at the January 21, 2026 City Council Meeting with the exception of part of Amendment 17. A portion of Amendment 17 triggers the need for referendum vote.

Amendment 17: Definition of **Care & Treatment of Animals** broken down and change of corresponding use tables.

The origin of this amendment is from City Council who recognized that **Care and Treatment of Animals** was too broad of a definition. Per Council direction City staff is proposing the removal of this definition and use from the zoning ordinance and have it replaced with more specific definitions and those definitions incorporated in the appropriate use tables.

Approval Procedure

Rural Lands Require are by Referendum

Commercial and Industrial Districts are by City Council

As mentioned above, the RL-1, RL-2 and RL-3 use code changes of this amendment will need to be approved by referendum vote to be included in the Zoning Ordinance.

Section 100.4(A) of the Zoning Ordinance States:

- A. *Amendment of the Zoning District Boundaries Requiring Referendum Vote:*
Any amendment which alters the zoning map in such a way as to change the zoning district designation of any area which is within the R-1, R-2, R-3, RL-1, RL-2 or RL-3 districts, and whose size exceeds ten times the minimum lot size for a Class 3 lot for the respective district as currently zoned, or which alters the Article III Table of Uses which are permitted or allowed by special exception or conditional use permit, or which alters the Table of Area, Dimensions and Coverage, for one or more of the above-listed districts, shall be placed on the ballot at the annual City election in March. This paragraph shall not apply to textual changes in the zoning ordinance which do not alter the boundaries or districting shown on the zoning map and which do not alter the Article III Tables of Uses or alter the Table of Area, Dimensions and Coverage, applicable to those districts.

Amendment 17 is proposing changes to the Use Tables in residential zoning districts and therefore those sections must be approved by referendum vote.

City Council may approve the proposed definitions and Use Tables for Sections 303 “Light Industrial District”, Section 305 “General Commercial District”, Section 305A “General Commercial One District”, Section 306 “Central Business District”, and Section 3111A “Residential Office One District”.

The remaining Districts: “Rural Lands -1”, “Rural Lands-2”, and “Rural Lands-3” will need to be approved by referendum vote.

Amendment 18: Section 100.2: “Source of Proposed Amendments”

The purpose of this proposed Amendment is to make a petitioner responsible for the fees and presentation of their petitioned amendment. Under 675:71-b, *In the case of a petitioned zoning amendment as authorized in RSA 675:4, the petitioners shall be responsible for the cost of notice by mail under paragraph I-a*, the petitioner is responsible for the costs of RSA 675:7 notifications. The amendment adds this requirement to the appropriate section of the Lebanon Zoning Ordinance.

Amendment 19: Miscellaneous Definitions

The purpose of this amendment is to amend the definitions of **Lot Width** and **Agriculture** in Appendix A “Definitions” pursuant to State RSA definitions.

Amendment 20: Impact Fees

The impact fee changes proposed will serve three purposes:

1. eliminate the contradictory language in the Ordinance for dwelling units below 500 sq. ft. and
2. to close the “basement loophole.

3. Finally, there is no sunset on the fee exemption for acts of nature or the replacement of a manufactured home. We proposed a time limit of two years which matches the same limits in the non-conformity section of the ordinance.

There will be impact fee revenue enhancement that results from these changes.

Approval Procedure

Amendments 18-20:

As drafted, the proposed Council Amendments will not alter the zoning district designations or alter the Table of Uses or the Table of Area, Dimensions, and Coverage for a Residential or Rural Lands zoning districts within the City. As a result, no referendum vote is required for the proposed Council Amendments pursuant to Section 1000.4.A

Adoption of the proposed Council Amendments is recommended at this time in accordance with the procedures outlined in Section 1000.4.B as follows:

Article X, 1000.4 Action Upon Proposed Zoning Amendments.

Any proposed zoning amendment shall be acted upon and adopted or rejected as follows:

B. Action by the Council: The Council shall act on any proposed Zoning amendment not requiring a referendum vote in which case adoption of the Zoning Amendment shall require a majority vote of five members of the City Council; or alternatively, the Council may decide that such an amendment shall be submitted to the voters at the annual City election, even though such a referendum is not required.

Included in this Packet:

1. Misc & Technical Amendments
 - a. **Amendment 17**: Definition of **Care & Treatment of Animals** broken down and change of corresponding use tables
 - b. **Amendment 18**: Section 100.2: "Source of Proposed Amendments"
 - c. **Amendment 19**: Miscellaneous Definitions
 - d. **Amendment 20**: Impact Fees
2. Comments and Minutes from the Land Use Boards' Review
3. Legal Opinion Letter for City Sponsored Amendments

Amendment 17

Care and Treatment of Animals

From: City Council and Staff

1 The purpose of this amendment is to give clarification on the different types of uses that were
2 included in the **Care and Treatment of Animals** definition. The proposed changes to the use
3 tables show where the different uses may be more appropriate than others.

4
5 ~~**CARE AND TREATMENT OF ANIMALS:** A veterinary establishment, riding school or kennels.~~

6
7 ~~**ANIMAL CLINIC, ANIMAL HOSPITAL OR VETERINARY OFFICE:** Any structure, or portion thereof,~~
8 ~~that is designed or used for the medical or surgical treatment of animals in which veterinary~~
9 ~~services, including Boarding incidental to treatment, are limited to short term care. Grooming~~
10 ~~maybe provided.~~

11 ~~**Animal Boarding Facility:** a facility where domesticated pets are cared for daily or overnight on a~~
12 ~~temporary bases at the request of the owner.~~

13 ~~**Kennels:** any establishment wherein or whereupon the business of boarding or selling dogs or~~
14 ~~breeding dogs for sale is carried on, except for a pet shop~~

15 ~~**Horse Stable:** Facility that includes large animal enclosures, barns, riding arenas, corrals,~~
16 ~~paddocks, and pens used for the raising, training, rehabilitation, and riding of horses for~~
17 ~~commercial purposes.~~

18 ~~**Riding Facility:** an establishment where horsemanship and riding is taught.~~

Amendment 17

Care and Treatment of Animals

From: City Council and Staff

SECTION 303 LIGHT INDUSTRIAL DISTRICT (IND-L).
303.2 Table of Uses.

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

Amendment 17

Care and Treatment of Animals

From: City Council and Staff

SECTION 305 GENERAL COMMERCIAL DISTRICT (GC).

305.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
<u>Residential</u> Dwelling unit(s) above first floor Multi-family dwelling (see Section 305.5)	<u>Commercial/Non-Residential</u> Alternative treatment center per Section 613 Bus terminal Educational facility, college/university Essential service Truck terminal Recovery Houses
<u>Commercial/Non-Residential</u> Amusements (indoor) - Car wash Community center Drive-in restaurant, refreshment stand Drive-through facility - Drycleaning pick-up station Financial institution - Funeral home Group day care facility per Section 604 Health club Hotel - House of worship - Laundromat Local government use Membership club Motel - Movie theater Office Personal service - Publishing/printing - Radio or TV studio Recreational facility, indoor	<u>Uses by Conditional Use Permit</u> (see Section 302.4)
	<u>Commercial/Non-Residential</u> 1. Care and treatment of animals 1. <u>Contractor's yard</u> 2. <u>Craftsman's shop</u> 3. <u>Plumbing, electrical or carpentry shop</u> 4. <u>Produce stand</u> 5. <u>Recreational facility, outdoor</u> 6. <u>Warehouse</u> 7. <u>Wholesale sales</u> <u>Research Laboratory</u> <u>Animal Clinic, Hospital, Veterinary Office</u> 9. <u>Animal Boarding Facility</u> <u>Planned Developments</u>

Amendment 17
Care and Treatment of Animals
From: City Council and Staff

25. Renewable energy system per Section 612	40.11. Commercial PUD per Section 501
26. Restaurant , sandwich shop	
27. Retail product pickup	
28. Retail store	
29. Service station	
30. Vehicular repair	
31. Vehicular sales	

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Amendment 17

Care and Treatment of Animals

From: City Council and Staff

SECTION 306 CENTRAL BUSINESS DISTRICT (CB).

306.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
<u>Residential</u> Dwelling unit(s) above first floor Multi-family dwelling (see Section 306.5) Senior housing complex	<u>Commercial/Non-Residential</u> Craftsman's shop Drive-through facility Educational facility, college/university Recovery Houses
<u>Commercial/Non-Residential</u> Amusements (indoor) Community center - Drycleaning pick-up station Financial institution Group day care facility per Section 604 - Funeral home Health club Hotel - House of worship - Laundromat - Library Local government use Membership club Motel - Museum Office Personal service <u>Animal Clinic, Hospital, Veterinary Office</u>	<u>Uses by Conditional Use Permit</u> (see Section 302.4)
	<u>Commercial/Non-Residential</u> Essential service - Other uses per Section 306.4 Parking facility - Publishing/printing Recreational facility, indoor Recreational facility, outdoor <u>Animal Boarding Facility</u> <u>Planned Developments</u> - Commercial PUD per Section 501

Amendment 17
Care and Treatment of Animals
From: City Council and Staff

SECTION 305A GENERAL COMMERCIAL ONE DISTRICT (GC-1).
305A.2 Table of Uses.

<u>Permitted Uses</u>	<u>Uses by Conditional Use Permit</u> (see Section 302.4)
<u>Residential</u> 1. Multi-family dwelling (see Section 305A.4) <u>Commercial/Non-Residential</u> 2. Dwelling unit(s) above first floor 3. Essential service 4. Financial institution 5. Group day care facility per Section 604 6. Office 7. Personal service 8. Renewable energy system per Section 612 <u>9. Animal Clinic, Hospital, or Veterinary Office</u>	<u>Commercial/Non-Residential</u> 1. Alternative treatment center per Section 613 2. Drycleaning pick-up station 3. Educational facility, college/university 4. Inpatient rehabilitation facility 5. Light industry 6. Research laboratory 7. Restaurant , sandwich shop 8. Retail store <u>9. Research Laboratory</u> <u>9.10. Animal Boarding Facility</u> <u>Planned Developments</u> <u>10.11. Commercial PUD</u> per Section 501 <u>11.12. Manufactured Housing PURD</u> per Section 504

Amendment 17

Care and Treatment of Animals

From: City Council and Staff

SECTION 311A RESIDENTIAL-OFFICE-ONE DISTRICT (R-O-1).
 311A.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
<u>Residential</u> 22. One-family dwelling 23. Two-family dwelling 24. Multi-family dwelling (4 dwelling units or less) per Section 601 25. Accessory dwelling unit (ADU) per Section 610 <u>Commercial/Non-Residential</u> 26. Construction of new office building (3,000 sq. ft. or less) per Section 601 27. Conversion of a dwelling to office use per Section 601 28. Financial institution 29. Group day care facility per Section 604 30. Home business per Section 600 31. House of worship 32. Personal service 33. Renewable energy system per Section 612 34. <u>Animal Clinic, Hospital, Veterinary Office</u> <u>Planned Developments</u> 35. PURD per Section 501	<u>Residential</u> 5. Multi-family dwelling (5 dwelling units or more) per Section 601 6. Senior housing complex <u>Commercial/Non-Residential</u> 7. Construction of new office building (3,001 sq. ft. – 6,000 sq. ft.) per Section 601 8. Educational facility, college/university 9. Educational facility, primary/secondary 10. Essential service 11. Funeral home 12. Group residence 13. Health club 14. Hospice 15. Lodging house 16. Public safety facility 17. Recreational facility, indoor 18. Recreational facility, outdoor 19. Tourist home (or bed and breakfast facility)

Amendment 17
Care and Treatment of Animals
From: City Council and Staff

	<u>Uses by Conditional Use Permit</u> <u>(see Section 302.4)</u>
	<u>Residential</u> 1. Cottage development per Section 509 2. <u>Animal Boarding Facility</u>

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Amendment 17

Care and Treatment of Animals

From: City Council and Staff

SECTION 312 RURAL LANDS ONE DISTRICT (RL-1).
312.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
<u>Residential</u> One-family dwelling Accessory dwelling unit (ADU) per Section 610	<u>Commercial/Non-Residential</u> Care and treatment of animals 1. Cemetery 2. Essential service 3. Group day care facility per Section 604 4. Home-based contractor's yard per Section 600A 5. Radio or TV tower or other communication equipment 6. Recreational camping park per Section 505 7. Recreational facility, indoor 8. Recreational facility, outdoor 9. Animal Clinic, Hospital, or Veterinary Office 10. Animal Boarding Facility 11. Kennels 12. Horse Stable 13. Riding Facility
<u>Commercial/Non-Residential</u> Agriculture Home business per Section 600 - House of worship - Public education facility Public recreation facility Renewable energy system per Section 612	
<u>Planned Developments</u> Manufactured housing park per Section 503 Manufactured housing PURD per Section 504 - PRec per Section 501 - PURD per Section 501	

Amendment 17

Care and Treatment of Animals

From: City Council and Staff

SECTION 313 RURAL LANDS TWO DISTRICT (RL-2).
313.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
<u>Residential</u> 1. One-family dwelling 2. Accessory dwelling unit (ADU) per Section 610 <u>Commercial/Non-Residential</u> 3. Agriculture 4. Home business per Section 600 5. House of worship 6. Public recreation facility 7. Renewable energy system per Section 612 <u>Planned Developments</u> 8. Manufactured housing park per Section 503 9. Manufactured housing PURD per Section 504 10. PRec per Section 501 11. PURD per Section 501	<u>Commercial/Non-Residential</u> 1. Care and treatment of animals 2.1. Cemetery 3.2. Essential service 4.3. Group day care facility per Section 604 5.4. Home-based contractor's yard per Section 600A 6.5. Produce stand 7.6. Radio or TV tower or other communication equipment 8.7. Recreational camping park per Section 505 9.8. Recreational facility, indoor 10.9. Recreational facility, outdoor 10. Excavation of natural earth materials per Section 606 11. <u>Animal Clinic, Hospital, or Veterinary Office</u> 12. <u>Animal Board Facility</u> 13. <u>Kennels</u> 14. <u>Horse Stables</u> 14.15. <u>Riding Facility</u>

Amendment 17
Care and Treatment of Animals
From: City Council and Staff

Section 314 Rural Lands Three District (RL-3)
314.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
<u>Residential</u> 1. Accessory use to any one-family dwelling <u>Commercial/Non-Residential</u> 2. Agriculture 3. Home business per Section 600 4. Public recreation facility 5. Renewable energy system per Section 612 <u>Planned Developments</u> 6. PRec per Section 501 7. PURD per Section 501	<u>Residential</u> 1. One-family dwelling 2. Accessory dwelling unit (ADU) per Section 610 <u>Commercial/Non-Residential</u> 3. Cemetery 4. Essential service 5. Home-based contractor's yard per Section 600A 6. Radio or TV tower or other communication equipment 7. Recreational camping park per Section 505 8. Recreational facility, indoor 9. Recreational facility, outdoor 10. <u>Riding Facility</u> 11. <u>Horse Stable</u> 12. <u>Kennels</u>

Amendment 18

Zoning Amendment Application and Notice Fees

From: Zoning Staff

1 The purpose of this amendment is to place the burden of petitioned amendments on to
2 the petitioner and allow the City to recoup fees associated with petitioned amendments.

3 1000.2 Source of Proposed Amendments.

4 Amendments may be proposed as follows:

- 5
- 6 A. From the City Council at any time.
- 7
- 8 B. From the City Council upon request by any Board or City official when the Council
9 decides that it is appropriate to go forward with such amendment.
- 10
- 11 C. By petition of any number of voters, provided however, that unless the petition is
12 submitted utilizing the "Citizens Binding Initiative" procedure contained in Section
13 419:23a of the Lebanon City Charter, it will be within the sole discretion of the City
14 Council as to whether or not to proceed in any way with the requested amendment.
- 15
- 16 D. A petitioned amendment submitted under Paragraph C above may be filed at any
17 time. However, if a petition not meeting the requirements for the Citizens Binding
18 Initiative procedure is submitted between August 1 and October 1 of any year, the
19 Council shall put the proposed amendment on its agenda and determine, prior to
20 December 1 of that year, whether or not to schedule the amendment for review
21 and hearing pursuant to Section 1000.3. The purpose of this paragraph is to enable
22 the potential filing of a Citizens Binding Initiative petition in time for the following
23 March election, in the event the Council determines not to proceed with review and
24 hearing.
- 25
- 26 1. The petitioner shall bear the responsibility of presenting the amendment
27 throughout the process described in Section 1000.3
- 28 2. The Petitioner shall pay RSA 675:7 notice fees and other applicable fees
- 29 3. City Council shall establish a Petitioner application fee in § 68-15
30 Enumeration of fees.
- 31 E. The Zoning Administrator may request persons submitting an amendment for any
32 additional information as may be necessary to put the proposal in a form consistent
33 with the remainder of the Ordinance and capable of being acted upon.

Amendment 19

Miscellaneous Definitions – Appendix A

From: Zoning Staff and State Law Conformance

A. Definition of “Lot Width”:

“LOT WIDTH: The distance measured across the rear line of the required **front yard** providing that at least 22 20 feet exist along the **street line**.”

The reasoning behind changing the definition of “lot width” is to align with the City’s Driveway Regulations (adopted by the Planning Board) which require a minimum driveway width of 12 ft., with 5 ft. setbacks from the lot lines on either side of the driveway. Lot width is relevant for zoning districts that require minimum *lot width* rather than minimum *frontage*. These include the R-1, R-2, R-3, R-O, R-O-1, and PB Districts. Requiring a minimum “width” in lieu of minimum “frontage” allows the creation of “flag lots” or “back lots” in these districts. For reference, an example of a “flag lot” (located on Bank Street) is outlined in blue in the image below:



B. Definition of “Agriculture”:

“AGRICULTURE: ~~Any area of land, including structures thereon, that is used for agricultural purposes including forestry. This includes the raising of cows, horses, pigs, poultry and other livestock; horticulture and orchards; logging of a forest, woodland or plantation; selling of products grown or raised directly on such land; and the building, altering or maintaining of wood roads, agricultural roads, skidways, landings, fences, drainage systems and farm ponds.~~ This term shall have the meaning as set forth in RSA 21:34-a, II.”

The reasoning behind changing the definition of “agriculture” is to ensure that Lebanon’s agricultural-related zoning regulations can be effectively enforced in line with statutory requirements. Specifically, NH RSA 674:32-a, provides that, “whenever agricultural operations or activities **as defined in RSA 21:34-a** are not explicitly addressed with respect to any zoning district or location, such operations or activities shall be deemed to be permitted there, as either a primary or accessory use”. (emphasis added) Because the current definition of agriculture in Appendix A is different than the statutory definition, agriculture **as defined in RSA 21:34-a** is currently a permitted

Amendment 19

Miscellaneous Definitions – Appendix A

From: Zoning Staff and State Law Conformance

use in every zoning district. As such, Lebanon's current agriculture-related zoning regulations are effectively unenforceable and rendered moot by the statutory requirements. Updating the definition of "agriculture" to match the statutory definition will allow Lebanon to continue restricting agricultural uses to the zones where agriculture is identified as a permitted use (i.e. within the Rural Lands Districts). The statutory definition of agriculture is included below for reference.

Statutory Definition of "Agriculture", RSA 21:34-a, II:

II. The words "agriculture" and "farming" mean all operations or activities of a farm, including:

(a)(1) The cultivation, conservation, or tillage of the soil.

(2) The storage and use of or spreading of commercial fertilizer, lime, wood ash, sawdust, compost, animal manure, septage, and, where permitted by municipal and state rules and regulations, other lawful soil amendments.

(3) The use of or application of agricultural chemicals.

(4) The husbandry of livestock which shall include but not be limited to all beef or dairy cattle, steer, oxen, goats, sheep, swine, horses, mules or other equidae, as well as domesticated strains of buffalo, bison, llamas, alpacas, emus, ostriches, poultry, rabbits, yaks, elk (*Cervus canadensis*), fallow deer (*Dama dama*), red deer (*Cervus elephus*), or reindeer (*Rangifer tarandus*).

(5) The husbandry, boarding, training, or riding instruction of equines.

(6) The husbandry and harvesting aquaculture products including fresh or salt water finfish, shellfish, or other aquatic organisms grown for consumption or processing.

(7) The husbandry of poultry or game birds or production of eggs.

(8) The husbandry of bees or production of honey.

(9) The husbandry of domesticated strains of fur-bearing animals.

(10) The production of greenhouse crops.

(11) The production, cultivation, growing, or harvesting of any agricultural, floricultural, viticultural, forestry, or horticultural crops including, but not limited to, berries, herbs, honey, maple syrup, fruit, vegetables, tree fruit, grapes, flowers, seeds, grasses, nursery stock, sod, trees or tree products, Christmas trees grown as part of a commercial Christmas tree operation, trees grown for short rotation tree fiber, compost, or any plant that can be legally grown or harvested extensively for profit or subsistence.

(b) Any practice or activity on the farm incident to, ancillary to, or in conjunction with such farming operations, including, but not necessarily restricted to:

(1) Preparation for market, delivery to storage or to market, or to carriers for transportation to market of any products or materials from the farm.

(2) The transportation to the farm of supplies and materials.

(3) The transportation of farm workers.

(4) Forestry or lumbering operations.

(5) Marketing or selling at wholesale or retail, regardless of the manner or form of the transaction, any livestock or products derived principally from the production of the farm, including, but not limited to items listed in subparagraph (a), whether on-site or off-site, provided that marketing such products is not specifically prohibited by local regulations. For the purposes of this section marketing shall include agritourism, which means attracting visitors to a farm to attend events or

Amendment 19

Miscellaneous Definitions – Appendix A

From: Zoning Staff and State Law Conformance

71 activities that are accessory uses to the primary farm operation, including, but not limited to,
72 being provided a meal, making overnight stays, enjoyment of the farm environment, education
73 which shall be instruction or learning about the farm's operations, or active involvement in the
74 activities of the farm.
75 (6) Irrigation of growing crops from private water supplies or public water supplies where not
76 prohibited by state or local rule or regulation.
77 (7) The use of dogs for herding, working, or guarding livestock, as defined in RSA 21:34-a,
78 II(a)(4).
79 (8) The production and storage of compost and the materials necessary to produce compost,
80 whether such materials originate, in whole or in part, from operations of the farm.

Amendment 20

Impact Fees

From: Zoning Staff

The impact fee changes proposed will serve two purposes. Eliminate the contradictory language in the Ordinance for dwelling units below 500 sq. ft. and to close the “basement loophole. The 500 sq. ft. contradiction says in one place in the text that no impact fees are due and in another that school impact fees can be waived. Eliminating the complete exemption language as proposed will ensure that Fire, Police, and Recreation impact fees will be collected for smaller units. Second is the closing of the “basement loophole” currently only the area of a new home that is “above grade” is included in the square footage calculations for impact fees. A walk-out basement and potentially finished basement would not be charged impact fees despite the fact that they are clearly part of the Gross Living Area. Finally, there is no sunset on the fee exemption for acts of nature or the replacement of a manufactured home. We proposed a time limit of two years which matches the same limits in the non-conformity section of the ordinance. There will be impact fee revenue enhancement that results from these changes.

SECTION 213 IMPACT FEES.

E. Development means an activity that results in:

- (1) The creation of a new **dwelling unit** or units or new **manufactured housing**; or
- (2) The conversion of a legally existing use, or additions thereto, which would result in a net increase in the number of **dwelling units**; or
- (3) Construction resulting in a new non-residential **building** or a net increase in the **gross floor area** of any non-residential **building**; or
- (4) The conversion of a lawful existing use to another use if such change would result in a net increase in the demand on public capital facilities that are the subject of impact fee assessment.
- (5) A net increase in a residential building’s gross floor area greater than 500 square feet.

Notwithstanding the above, new development shall not include:

- ~~a. The creation of any new studio or one-bedroom accessory dwelling unit with a gross living area of 500 sq. ft. or less;~~
- a. The replacement of an existing **manufactured housing** unit or any existing **dwelling unit** if replaced within 2-years; or
- b. The reconstruction of a **structure** that has been destroyed by fire or natural disaster if replaced within 2-years where there is no change in size, density, or type of use that would increase the demand on capital facilities for which impact fees are assessed.

GROSS LIVING AREA: The total area of ~~above-grade~~ residential space within a dwelling unit as measured using exterior building dimensions, with a ceiling height of 7 ft. or greater, excluding unheated areas such as garages, enclosed or open porches, covered or open decks, outside stairs, balconies, and other unenclosed areas. The floor area of a walk-out basement with a ceiling height of 7 feet or greater shall be included.



ANON ~ PLANNING & Development

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Planning and Development Department Staff

RE: Lebanon Conservation Commission Review and Comment on proposed 2025 Zoning Amendments, per City Council Request for Input

DATE: December 23, 2025

INTRODUCTION

Council Members:

On October 1, 2025, the City Council accepted several proposed zoning amendments and in accordance with Section 1000.B and C of the Zoning Ordinance, forwarded them to the land use boards for review and comment. The Conservation Commission engaged in the review and comment process on both their November 13th and December 25th 2025 meetings. This memo serves to return to the City Council the feedback generated from the Conservation Commission's review, including providing the specific motion generated for each individual amendment reviewed.

REVIEW AND COMMENT

The motions expressed below are excerpted from both the Final version of the November 13th Conservation Commission meeting minutes, as well as the Draft December 11th meeting minutes. The meeting minute documents themselves serve as supporting materials including capturing dialogue leading to the various motions. The proposed zoning amendments are arranged numerically, like the initial presentation to the City Council in October.

State Legislative Updates: (***Motion recommending approval 11/13*)

Amendment 1: HB1361: Manufactured Homes

Amendment 2: HB631: Multifamily Residential

Amendment 3: HB284: Residential Parking Requirements

Amendment 4: HB577: ADUs

*Mr. Oidtmann MOVED that the Lebanon Conservation Commission does not think that proposed zoning amendments **1, 2, 3, 4**, 11, 12, 13, 14, 15, 16, 17, 18, 19, & 20 have any conservation environmental/natural resource impacts that they can speak to.*

Seconded by Mr. Chris Johnson. The MOTION was approved 6-0

Map Amendments and corresponding text amendments:

Amendment 5: Centerra/Altaria (***Motion recommending approval with alteration 11/13*)

Mr. Lacey MOVED that the Conservation Commission recommend that the proposed zoning be approved excepting the Altaria lots along the eastern area of the graphic depicted because of the potential negative

*impacts of increased residential density on the adjacent ecological preserve. Seconded by Mr. Johnson. The MOTION was approved 6-0. Vice Chair James abstained from the amendment to the motion. *** This action involved an original motion and then an amended motion to include text supporting the rationale.*

Amendment 6: Northern Lebanon Map Amendment (***Motion recommending approval 11/13*)

Ms. Hirai MOVED that the Conservation Commission moves that the City Council approve the proposed amendment. The rationale being that it aligns with the Master Plan and Future Land Use Map and the recommendation in the Northern Lebanon Community Plan. This action will help protect areas of steep slopes, wetlands, and a wildlife corridor. Seconded by Mr. Don Lacey. The MOTION was approved 7-0.

Amendment 7: LaBombard Road (***Motion recommending approval with alteration 12/11*)

Vice-Chair James MOVED that the Conservation Commission recommend under Map Amendment 7 that the GC-1 designations be divided into three:

The Western portion one between Route 120 and Labombard Road would be provisionally accepted given concerns about wetlands.

The Northern portion would proceed as written.

The Southern portion, they do not accept and recommend that it be left as RL-1 and RL-3 because it is near conservation land and it would be better protected with these current designations rather than with GC-1, and, the topography is somewhat limited there with steep forested slopes and power lines. Seconded by Mr. Don Lacey. The MOTION was approved 6-1.

Amendment 8: Heater Road (***Motion recommending approval 12/11*)

Vice Chair James MOVED that the Conservation Commission recommend approval of Map Amendment #8. Seconded by Ms. Hirai. The MOTION was approved 7-0.

Amendment 9: Wildlife Corridor Map and Text (***Motion recommending approval 12/11*)

Vice Chair James MOVED that the Conservation Commission recommend that the City Council accept this amendment. Mr. Oidtmann seconded. The MOTION was approved 7-0.

Amendment 10: Northern Lebanon Use Tables & Text (***Motion of neither approval or disapproval*)

Ms. Almy MOVED that the Conservation Commission does not feel capable of anticipating what this amendment will do to the natural resources and therefore can neither endorse or refute the amendment. Seconded by Vice Chair James. The MOTION was approved 7-0.

City Board, Commission, Committee Sponsored Amendments (*** Motion recommending approval 11/13*)

Amendment 11: Section 408: Historic District (Heritage Commission Sponsored)

Amendment 12: Mobile Food Service Vending Ordinance (Food Truck Task Force)

Mr. Oidtmann MOVED that the Lebanon Conservation Commission does not think that proposed zoning amendments 1, 2, 3, 4, **11, 12**, 13, 14, 15, 16, 17, 18, 19, & 20 have any conservation environmental/natural resource impacts that they can speak to.

Seconded by Mr. Chris Johnson. The MOTION was approved 6-0

Text Amendments (**Motion recommending approval 11/13)

Amendment 14: Section 608: Signs; Definitions: Window Signs & regulatory streamlining

Amendment 15: Section 411: Pattern Zones Overlay District

Amendment 16: Section 509: Cottage Cluster Developments

Mr. Oidtmann MOVED that the Lebanon Conservation Commission does not think that proposed zoning amendments 1, 2, 3, 4, 11, 12, 13, **14, 15, 16**, 17, 18, 19, & 20 have any conservation environmental/natural resource impacts that they can speak to.

Seconded by Mr. Chris Johnson. The MOTION was approved 6-0

Misc & Technical Amendments (**Motion recommending approval 11/13)

Amendment 17: Definition of **Care and Treatment of Animals** broken down & change of corresponding use tables.

Amendment 18: Section 1000

Amendment 19: Definition of **Lot** & Definition of **Agriculture**

Amendment 20: Changes to Impact Fees

Mr. Oidtmann MOVED that the Lebanon Conservation Commission does not think that proposed zoning amendments 1, 2, 3, 4, 11, 12, 13, 14, 15, 16, **17, 18, 19, & 20** have any conservation environmental/natural resource impacts that they can speak to.

Seconded by Mr. Chris Johnson. The MOTION was approved 6-0

Amendment 21: EV Regulations Section 607.8 (**Motion recommending approval 12/11)

Ms. Hirai MOVED that the Conservation Commission recommends the City Council adopt Amendment #21, the transition from fossil fuels to electric vehicles. The potential for EVs will reduce the impact on the natural environment both in Lebanon and beyond. Seconded by Erling Heistad. The MOTION was approved 7-0.

Petitioned Amendments

Petitioned Amendment 1: Map Amendment Rezoning of Parcels along Old PineTree Cemetery Rd from RL-2 to R-3. Representative: Dan Nash, PE (**Motion to not recommend approval 11/13)

Chair Riley MOVED that the Conservation Commission recommends that the City Council not approve petition amendment 1 as presented in the November packet. The area in question along Old Pine Tree Cemetery Road is an area of very steep slopes and is a significant amphibian migration location, located between the Mascoma River flood plain and significant upland forests.

Seconded by Mr. Don Lacey. The MOTION was approved 6-0.

Petitioned Amendment 2: Map Amendment Rezone Parcel 26-2 on Etna Road from IND-L and RL-3 to GC-1. Representative: Dan Nash, PE (**Motion to not recommend approval 11/13)

Mr. Chris Johnson MOVED that the Conservation Commission does not recommend approval of the proposed amendment as there are significant natural resource elements that exist on parcel 26-2.

Furthermore, the proposal is in direct conflict with proposed zoning amendment #6 which the Conservation Commission strongly endorses. Seconded by Ms. Hirai. The MOTION was approved 6-0.

Petitioned Amendment 3: Change of Light Industrial Use Table: Addition of
"Vehicular Repair" to IND-L. Representative: Chip Brown (***Motion recommending approval 11/13*)

Mr. Don Lacey MOVED that the Lebanon Conservation Commission make the following comment to City Council: The Conservation Commission does not think this rezoning request has any conservation environmental/natural resource impacts that they can speak to. Seconded by Mr. Ernst Oidtman. The MOTION was approved 6-0.

FINAL

**LEBANON CONSERVATION COMMISSION
MEETING MINUTES
MEETING ROOM 1
Remote Via Microsoft Teams
LebanonNH.gov/Live
November 13, 2025
6:30 PM**

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

MEMBERS ABSENT: none

STAFF PRESENT: Mark Goodwin (GIS Coordinator), Nate Reichert, Director of Planning

****There is no recording for this meeting until item 5, Study Items, starting at approximately 7:00 PM. Amendments are below, as written in RS notes.**

Chair Riley started with “petitioned amendments, stating she was taking these out of order.

1. CALL TO ORDER:

A. Chair Riley called the meeting to order at 6:31 PM.

2. APPROVAL OF MINUTES:

A. September 11, 2025

Correct to reflect that Mr. Bruce James was in attendance

Pg. 1, lines 13 & 15, spelling of last names provided

Pg. 3, line 9, change to Wilmot

Pg. 3, line 39 tweaked sentence

Page 4, line 39, delete an r from Forest

Pg. 5, line 16 True’s Ledges

Pg. 6 line 8, delete the word Organization for Red Bird Consulting

Pg. 6, line 25, delete West

***Mr. Ernst Oidtmann MOVED to approve the minutes as amended
Seconded by Mr. Chris Johnson***

****The MOTION was approved (5-0)***

Barbara Hirai Abstained since she was absent from that meeting

B. October 9, 2025

Pg. 2, line 4, correct name to Spaulding

Pg. 3, line 5, change Mr. Erling to Mr. Heistad

Pg. 3, line 34, changed glazed to blazed

Pg. 3, line 48, change sized to scythed

**Mr. Chris Johnson MOVED to approved the minutes as amended
Seconded by Mr. Ernst Oidtmann**

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

3. OPEN TO THE PUBLIC:

4. PERMIT REVIEW: None

5. STUDY ITEMS:

A. Review and comment on proposed Zoning Amendments

Resident proposed amendment #3 adding “Vehicular Repair” as an allowed use within the City’s Light Industrial zone

Chair Riley began this discussion with Citizen Petition Amendments. Mr. Chip Brown, a local Commercial real estate expert, attending this meeting remotely, submitted an amendment to add vehicular repair to Industrial Use (page 104) , and referenced a letter dated August 21, 2025 to the City Council.

Mr. Brown said that he also provided some examples which he did not see in the meeting package. He said that this looks like Class A Industrial and requires large sites (e.g. 3-4 acres) and includes a 25,000 square ft. steel building that is part of this. It is auto repair but quite different than in the past, and the new format is exclusive to auto body repair. Currently, vehicle repair is only allowed in General Commercial, but the majority of General Commercial has much smaller lot sizes. This is not “retail focused” and does not need traffic flow to see their building, rather they need a large site. Regarding the environment, since it is not a mechanical shop, there are no oil or fluid disposal issues there. This business is very environmentally sensitive and uses a water-based paint product, BASF 100 Line, considered a top-of-the-line product.

Inside the shop is a dustless environment where they maintain state-of-the-art dust collection systems, the floors are kept immaculate with scrubbers, but it does not align with where it is and what is currently allowed.

Ms. Riley said that she does not see any conservation implications for this proposal and thinks it is more strictly a planning matter. The question was posed regarding the way the proposal is written, “adding vehicle repair”, how would they ensure that going forward, others would be as environmentally conscientious as Key Auto. Mr. Nate Reichert, Director, Planning & Development , said that this would be addressed by Planning in the future, as needed.

Mr. Don Lacey MOVED that the Lebanon Conservation Commission make the following comment to City Council: The Conservation Commission does not think this rezoning request has any conservation environmental/natural resource impacts that they can speak to.

Seconded by Mr. Ernst Oidtmann

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

Resident Amendment #2 was addressed next, page 99, b., **Petitioned Amendment 2: Map Amendment Rezone Parcel 26-2 on Etna Road from IND-L and RL-3 to GC-1.** Representative Dan Nash, PE (not in attendance). Ms. Riley provided background to this proposal from Mr. Dan Nash; it is a proposal to rezone all or part of 26-2 to GC-1.

Ms. Riley is against the City Council approving this for the reasons they previously stated including the fact that this is an area of significant natural resources, there are steep slopes, there is surface and ground water, and this proposed amendment would have an adverse effect on the wildlife corridor that runs through the area and would impact the abutting Nicole Cormen Memorial Nature Preserve.

Mr. James, Vice Chair, stated that hydrologically concerning watershed and wildlife corridor wise, this conservation area is an important drainage way and *any changes to this connectivity* would negatively impact water flows.

Since the representative for this proposal was not present, Con Com did not have the opportunity to ask any questions. Therefore, they read the proposal as written and noted above.

Mr. Chris Johnson MOVED that the Conservation Commission does not recommend approval of the proposed amendment as there are significant natural resource elements that exist on parcel 26-2.

Furthermore, the proposal is in direct conflict with proposed zoning amendment #6 which the Conservation Commission strongly endorses.

Seconded by Ms. Hirai

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

- a. **Petitioned Amendment 1: Map Amendment Rezoning of Parcels along Old Pine Tree Cemetery Rd. from RL-2 to R-3.** Representative Dan Nash, PE

The Conservation Commission reviewed pg. 92 (94 of the PDF document), along with the map provided by the applicant.

There are already several projects approved in this area along with open space being committed to. This proposal is to extend Residential 3 area into steep slopes, wildlife and amphibian crossing areas. There are also issues with this proposed amendment for both Planning and Public Works.

Chair Riley MOVED that the Conservation Commission recommends that the City Council not approve petition amendment 1 as presented in the November packet. The area in question along Old Pine Tree Cemetery Road is an area of very steep slopes and is a significant amphibian migration location, located between the Mascoma River flood plain and significant upland forests.

Seconded by Mr. Don Lacey

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

Mr. Erling Heistad arrived at approximately 8:00PM.

Mr. Reichert provided a concise description of Zoning Amendments 1-4, and 11-20.

Mr. Oidtmann MOVED that the Lebanon Conservation Commission does not think that proposed zoning amendments 1, 2, 3, 4, 11, 12, 13, 14, 15, 16, 17, 18, 19, & 20 have any conservation environmental/natural resource impacts that they can speak to.

Seconded by Mr. Chris Johnson

****The MOTION was approved (7-0)***

Next, the Conservation Commission discussed the map amendments.

Amendment 5: Centerra/Altaria – They showed maps of the CBD (Central Business District), along with residential rural, and rural along with the Medical Center and their properties in the Centerra and Altaria areas.

Referencing this area, Chair Riley said that the land at Rix Ledges Conservation area is protected and that the mission of Rix Ledges is not recreation, and it is managed as a trailless space, and is not there for human recreation. It is written in the description of the property, and the land trust is beholden to the DES. Chair Riley said there are other areas to have soft boundaries, but this is not the place, and she suggest leaving it “pink”, IND-L rather than “brown”, GC-1, thereby providing a buffer. She recommended approval for everything here except for the Altaria brown line along the right.

Vice Chair James does not think of IND-L as a buffer, and he would prefer to have this be GC-1, rather than IND-L. He has fewer concerns about dogs and people and cited numerous reasons including the aesthetics, waste, noise, human habitation and he sees IND-L as having much more adverse environmental impact than GCI-1. He thinks that the boundary should be dealt with at the site planning level, and he also said it is important that they speak up about this proposed zoning.

Mr. Goodwin commented on the RL-3 (green area), a preservation area. His observation is that the area is less impacted by some businesses than residential areas, because people leave at the end of the day. It is the behavior of the people that makes the difference. Mr. James, Vice Chair, does not see human impacts as being that significant unless there are a lot of people doing things like camping, kids building forts, etc. Mr. Heistad concurred that impact on the land tends to depend on the attitude of the people that live there, giving Prospect Hills as an example.

Mr. Lacey MOVED that the Council approve the proposed amendment excepting the Altaria lots along the eastern lots along the eastern area of the graphic depicted (brown, GC-1)
Seconded by Mr. Johnson

****The MOTION was approved (6-1)***

Chair Riley MOVED to extend the meeting 30 minutes until 9:30PM.
Seconded by Ms. Hirai

****The MOTION was approved (6-1)***

Mr. Don Lacey MOVED that the Conservation Commission recommend that the proposed zoning be approved excepting the Altaria lots along the eastern area of the graphic depicted.
Seconded by Mr. Johnson

****The MOTION was approved (6-1)***

Ms. Hirai MOVED to reconsider their comments they made on Amendment 5.
Seconded by Mr. Johnson

****The MOTION was approved (7-0)***

Map Amendments and corresponding text amendments:

a. Amendment 5: Centerra/Altaria

Mr. Lacey MOVED for reconsideration of the term they used in the MOTION above and that Council approve the proposed amendment excepting the Altaria lots along the eastern area of the graphic depicted

because of the potential negative impacts of increased residential density on the adjacent ecological preserve.

Seconded by Mr. Oidtmann

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

Vice Chair James abstained on this amendment to the MOTION.

b. Amendment 6: Northern Lebanon Map Amendment - Conservation Area

The solution to expand RL-3 as well as the industrial lots already developed, including Rix Ledges and the Quarry Hills development. Mr. Goodwin said that this amendment mirrors what the Master Plan and future land use calls for and provides many more protections (Mt. Support area). It protects the natural resources.

Ms. Hirai MOVED that the Conservation Commission moves that the City Council approve the proposed amendment. The rationale being that it aligns with the Master Plan and Future Land Use Map and the recommendation in the Northern Lebanon Community Plan. This action will help protect areas of steep slopes, wetlands, and a wildlife corridor.

Seconded by Mr. Don Lacey

****The MOTION was approved (7-0)***

c. Amendment 7: LaBombard Road (e.g. Signal Park, Hatch, Elks, etc.)

Mr. Reichert explained this area is fairly well developed. The Hatch property already has 47 acres of conservation area, and they have added Elks/Dartmouth Coach, and they removed all properties on Etna Road, based on feedback from property owners there. All that is green on this map is included in this amendment. Ms. Riley said she has concerns about converting RL-1 and RL-3 into GC-1. She said it's important to take into consideration the topography and the tree lines and how it is zoned (e.g. Hatch property would be surrounded by GC-1).

Ms. Hirai has some concerns about the large parcels on the upper parts. Chair Riley posed if they could add steep slopes protections to GC-1? Mr. Goodwin said that small changes are okay and taking away from a map but not adding to it.

Discussions on the proposed amendments will continue in the December 11, 2025 meeting.

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: None

The meeting ended at 9:36PM.

Respectfully submitted,
Cinda Mersel
Recording Secretary

DRAFT

**LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
MONDAY, NOVEMBER 24, 2025 6:30PM**

MEMBERS PRESENT: Andrew Faunce (Chair), Kellen Appleton, Don Collins, Patrick Kennelly, Wes Achord, Kathie Romano (alt) (REMOTE), Steven Cole (alt)

MEMBERS ABSENT: Richard Ford Burley (Vice Chair), Karen Zook (City Council Rep)

STAFF PRESENT: Tim Corwin (Deputy Planning Director)

1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:31pm. Mr. Corwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures. Ms. Romano said she is participating remotely because she is out of town. She said no one was in the room with him during the meeting. Chair Faunce said Ms. Romano and Mr. Cole will be full voting board members for this meeting.

2. PUBLIC HEARING ITEMS

A. Brickyard One Nominee Trust, Hanover Street (Tax Map 48, Lot 1), zoned R-1, R-O-1, R-3 & RL-3: On December 17, 2024, applicant obtained Site Plan approval and a Conditional Use Permit for a proposed 474-unit multi-family Planned Unit Residential Development (PURD) (PB2024-22-SPRCUP). Applicant now requests Final Major Subdivision approval to subdivide the 136-acre property into four (4) condominium units. PB2025-45-FMAJ - Continued from November 10, 2025

Mr. Corwin said Staff and legal counsel reviewed the request by the applicant to subdivide the property into four condominium units and determined that the proposed Units 1, 2, and 3 are exempt under Section 6.3 of the Subdivision Regulations are therefore not subject to review by the Planning Board. He said Staff and legal counsel determined that proposed Land Unit 4, however, does not meet the exemption specifications and would be subject to review. He noted that the project now would not be considered a major subdivision; it would now (as a minor subdivision) would be subject to the requirements of Section 9 of the Subdivision Regulations.

The group discussed whether the four units, once they are subdivided as condominium units, could be bought by one person who could rent the residences to tenants instead of selling them as condominiums. The group discussed how the intent is to sell the residences to individual owners rather than having them all be rented units.

Mr. Corwin said the applicant could appeal the decision and explained the appeal process. He provided the Board members and applicant with a draft motion for the decision. Mr. Gil Aleixo,

1 Mr. Rich Whitehouse (VHB), and Attorney Barry Schuster were present on behalf of the
2 applicant. Attorney Schuster asked for a recess to review the draft motion.

3
4 At 6:45pm, Chair Faunce called a recess.

5 At 6:46pm, the meeting resumed.

6
7 Chair Faunce opened the public comment portion of the meeting. No one from the public spoke.
8 Chair Faunce closed the public comment portion of the meeting.

9
10 The group discussed whether the condominium association by-laws would be reviewed by the
11 City. Mr. Corwin explained that draft motion included the Condition of Approval that the by-
12 laws would be submitted to the City for review by legal counsel.

13
14 Chair Faunce closed the public hearing.

15
16 ***A MOTION was made by Kellen Appleton that the Lebanon Planning Board approves the***
17 ***application of Brickyard One Nominee Trust for a proposed land condominium subdivision of***
18 ***the +/-136.87 acre parcel located on Hanover Street Extension identified as Tax Map 48, Lot***
19 ***1, as shown on a plat titled “Land Condominium Plan of Land – Map 48, Lot 1 in Lebanon***
20 ***New Hampshire,” prepared by Vanasse Hangen Brustlin, Inc., dated October 10, 2025,***
21 ***revised November 13, 2025, PB2025-45-FMAJ, including any and all supplemental***
22 ***submissions and testimony provided during the public hearing.***

23
24 ***In support of its decision, the Board finds that the Planning & Development Director, in***
25 ***correspondence sent to the applicant on November 11, 2025, made a determination pursuant***
26 ***to Section 6.3 of the Subdivision Regulations that the creation of condominium Units 1, 2 and***
27 ***3 does not materially alter the underlying use of the property and therefore does not require***
28 ***subdivision approval, and that consequently, the creation of Unit 4 constitutes a Minor***
29 ***Subdivision subject to the requirements of Section 9 of the Subdivision Regulations. The***
30 ***Board further finds that the applicant has submitted plans, testimony, and technical data***
31 ***prepared by a licensed land surveyor that together satisfactorily demonstrate compliance with***
32 ***the applicable Minor Subdivision requirements of the Subdivision Regulations.***

33
34 ***This approval is subject to the following conditions:***

35 ***A. General Conditions***

36 ***1. The applicant shall comply with the Planning Board Notice of Action for the Brickyard***
37 ***Planned Unit Residential Development (PURD) Conditional Use Permit and Site Plan***
38 ***approvals, dated December 17, 2024 (PB2024-22-SPRCUP), and all conditions of approval***
39 ***thereof.***

40 ***2. This approval shall be considered void unless, within two (2) years from the date of this***
41 ***Notice of Action (Section 7.12.B), a) all conditions precedent have been met and b) the plat***
42 ***and this Notice of Action have been recorded in the Grafton County Registry of Deeds.***

43
44 ***B. Conditions to be Satisfied Prior to the Signing and Recording of the Plat***

45 ***1. The applicant shall provide a final version of the Condominium Declaration and Bylaws to***
46 ***the Planning & Development Department for review by the City’s legal counsel.***

47 ***2. The applicant shall provide a digital record drawing of the revised plat (Cad .dwg format***
48 ***using NH State Plane Coordinate system or an alternative approved by the City’s GIS***
49 ***Coordinator) to the Planning & Development Department.***

1 **3. The applicant shall provide to the City draft copies of the deeds of the land transfer for**
 2 **review to ensure the transfer will be completed properly for Assessing and recording purposes.**

3 **4. The applicant shall submit two (2) mylars of the approved plat together with applicable**
 4 **recording fees to the Planning & Development Department in accordance with Planning &**
 5 **Development Department recording procedures. (8.1.D & 7.11)**

6 **5. The applicant shall submit the executed deeds of the land transfer together with applicable**
 7 **recording fees to the Planning & Development Department to be recorded contemporaneously**
 8 **with the plat and Notice of Action.**

9
 10 **The MOTION was seconded by Wes Achord.**

11
 12 ***The MOTION was approved (7-0).**

13
 14 **A MOTION was made by Kellen Appleton that the Lebanon Planning Board authorizes the**
 15 **Chair to sign the plat of Brickyard One Nominee Trust, PB2025-45-FMAJ, titled “Land**
 16 **Condominium Plan of Land – Map 48, Lot 1 in Lebanon New Hampshire,” prepared by**
 17 **Vanassee Hangen Brustlin, Inc., dated October 10, 2025, revised November 13, 2025.**

18
 19 **The MOTION was seconded by Don Collins.**

20
 21 ***The MOTION was approved (7-0).**

22
 23 At 7:01pm, Ms. Zook said she was attending the meeting remotely as a member of the public and
 24 not as a Board member because she was not feeling well.

25 26 **3. STUDY ITEMS**

27 28 **A. Review and Comment to City Council on Proposed Zoning Map and Text Amendments**

29
 30 Mr. Reichert noted that the amendment related to EV Regulations would not be discussed at this
 31 meeting because the new proposal had not yet been reviewed by legal counsel.

32
 33 Mr. Dan Nash and the group discussed the amendments he was proposing:

- 34 • Change to R3: For greater density for the parcel planned for the Rock Ridge Development on
- 35 Old Pine Tree Cemetery Rd
- 36 • Expand IND-L: For properties off Etna Rd (part of the Route 120 Corridor) instead of the
- 37 City’s plan rezone the area to RL3.

38
 39 Mr. Reichert and the group discussed several proposed zoning amendments/changes related to:

- 40 • Manufactured housing
- 41 • ADUs
- 42 • Map amendments related to sections of the Route 120 Corridor:
 - 43 ○ Centerra/Altera neighborhood
 - 44 ○ Rezone portions to RL3 because of conservation considerations
 - 45 ○ LaBombard Rd area
 - 46 ○ Area around Volvo dealership
- 47 • Rezoning area near Lafayette St near Centerra from IND-L to GC1
- 48 • Planned Unit Developments in GC1 zone
- 49 • Historic district design standards

- Mobile food service
- Signage
- Pattern zone overlay
- Care and treatment of animals
- Definition of agriculture
- Road width
- Replacement of dwellings within two years of disaster
- Impact fees

4. OTHER BUSINESS - None

5. APPROVAL MINUTES – November 10, 2025

Chair Faunce said these minutes would be reviewed at the next meeting.

6. ADJOURNMENT

A MOTION was made by Kellen Appleton to adjourn the meeting at 9:30pm. The MOTION was seconded by Wes Achord.

**The MOTION was approved (7-0).*

The meeting adjourned at 9:30pm.

Respectfully submitted,
Paula Roux
Recording Secretary

DRAFT

**LEBANON ZONING BOARD OF ADJUSTMENT
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE
MONDAY, December 2, 2025
7:00 PM**

MEMBERS PRESENT: Chair William Koppenheffer, Vice Chair Jeremy Katz, Dave Newlove, Paul McDonough, Michael Morris (alternate), Rupert Burtan (alternate)

MEMBERS ABSENT: Jennifer Barkley

STAFF PRESENT: Nathan Reichert – Zoning Administrator

1. CALL TO ORDER

Chair Koppenheffer called the meeting to order at 7:06 PM.

Mr. Reichert gave the Right to Know, RS 91A public announcement.

2. APPROVAL OF MINUTES

A. November 3, 2025

Mr. Burtan was given voting privileges for this meeting.

Vice Chair Katz MOVED to approve the November 3, 2025, minutes as presented in the December 2, 2025 packet.

Seconded by Mr. Newlove.

**The Vote on the Motion was (5-0).*

3. PUBLIC HEARING ITEMS

- A. Peter Buttrick, 61 Crafts Ave (Tax Map 58, Lot 88), Zoned R-3:** The applicant requests an Equitable Waiver of Dimensional Requirement pursuant to State of New Hampshire RSA 674:33-a and Zoning Ordinance 801.4.B, for the construction of a single-family dwelling +/- 14 ft. from the right-side property line, where a minimum of 15 ft. is required. **ZB2025-25-EW**

Peter Buttrick appeared on behalf of the application. He is seeking an equitable waiver for a building on Crafts Avenue. The builder started building the house in June, and in October Mr. Buttrick's mortgage company did a mortgage plot plan and noted a discrepancy on the rear setback. Mr. Buttrick reached out to the City and proceeded to get an as-built site survey showing that the front of the house was within the setback, but the right rear of the house was six inches over the setback. He believed there was more than 6 feet leeway on the site plan. The builder discovered that the right rear pin was missing and measured out the building layout. The builder did a miscalculation of the property line that ultimately resulted in a mistake that moved the building 6 inches over the right rear setback. This resulted in the necessity of getting a new

1 deed for the property with correct measurements and the correct dimensions of the lot. It is a
2 very small lot and has unusual shape. Mr. Buttrick was not aware of any of this until October.
3

4 **Chair Koppenheffer opened the public hearing. Hearing no one else, the public hearing**
5 **was closed.**
6

7 *Mr. McDonough MOVED on December 1, 2024, at a duly noticed meeting of the Lebanon Zoning*
8 *Board of Adjustment, there appeared Peter Buttrick regarding 61 Crafts Ave (Tax Map 58, Lot 88),*
9 *Zoned R-3: The applicant requests an Equitable Waiver of Dimensional Requirement pursuant to State*
10 *of New Hampshire RSA 674:33-a and Zoning Ordinance 801.4.B, for the construction of a single-*
11 *family dwelling +/- 14 ft. from the from the right-side property line, where a minimum of 15 ft. is*
12 *required.*
13

14 **I. FINDINGS OF FACT**

15
16 Based on testimony given, application materials presented, and supporting documents submitted, the
17 Lebanon Zoning Board of Adjustment makes the following findings of fact:
18

- 19 1. The subject property is in the process of being developed with a single-family residence.
- 20
21 2. At this time, the applicant is seeking an Equitable Waiver per State of New Hampshire Code
22 §674:33-a and section §801.4.B of the Zoning Ordinance to permit a +/- 1' side yard encroachment
23 into the required 15' setback.
- 24
25 3. In order to grant an Equitable Waiver, the applicant must demonstrate that the proposal meets the
26 §674:33-a criteria. The applicant has submitted testimony addressing the Equitable Waiver criteria
27 in an application received by the Planning & Development Department on October 27, 2025.
- 28
29 4. No member of the public was in attendance or spoke for or against this petition.
30

31 **II. CONCLUSIONS OF LAW**

32
33 As a result of the above findings of fact and based on testimony given, application materials presented,
34 and supporting documents submitted, the Board concludes the following with respect to the Equitable
35 Waiver criteria set forth in §674:33-a of the New Hampshire Code:
36

- 37 1. That the violation **was not** noticed or discovered by any owner, former owner, owner's agent or
38 representative, or municipal official, until after a structure in violation had been substantially
39 completed, or until after a lot or other division of land in violation had been subdivided by
40 conveyance to a bona fide purchaser for value;
41
- 42 2. That the violation **was not** an outcome of ignorance of the law or ordinance, failure to inquire,
43 obfuscation, misrepresentation, or bad faith on the part of any owner, owner's agent or
44 representative, but was instead caused by either a good faith error in measurement or calculation
45 made by an owner or owner's agent, or by an error in ordinance interpretation or applicability made
46 by a municipal official in the process of issuing a permit over which that official had authority;
47
- 48 3. That the physical or dimensional violation **does not** constitute a public or private nuisance, nor
49 diminish the value of other property in the area, nor interfere with or adversely affect any present
50 or permissible future uses of any such property; and

4. That due to the degree of past construction or investment made in ignorance of the facts constituting the violation, the cost of correction so far **outweighs** any public benefit to be gained, that it **would be** inequitable to require the violation to be corrected.

III. DECISION

Now therefore be it resolved, the Lebanon Zoning Board of Adjustment, on this 2nd day of December 2025, hereby **GRANTS** the requested Equitable Waiver pursuant to State of New Hampshire RSA 674:33-a and Zoning Ordinance 801.4.B to allow the construction of a single-family dwelling +/- 14 ft. from the from the right-side property line, where a minimum of 15 ft. is required, as set forth above and per testimony, plans, and materials submitted, and per the following conditions:

Seconded by Mr. Newlove

**The Vote on the Motion was (5-0).*

- B. Mark & Mary Manikian, 69 NH Route 4A (Tax Map 84, Lot 46), Zoned RL-2:** The applicants request two Variances from Section 313.3, pursuant to Section 801.2 of the Zoning Ordinance, to allow a garage to be built +/- 7.5 ft from the front property line where 40 ft is required, and to allow +/- 30% building coverage on the lot where 20% is allowed. **ZB2025-26-VAR**

Mr. Reichert informed the Board that there is an error in the GIS mapping for this application. On behalf of the applicants, he asks that the Board offer a continuance for one month. Early this morning it was discovered that there is an error on the GIS layer. They discovered that the property is in the Riverbank Protection and the GIS Map is in error. The applicants are going to need an additional variance in this application. They have already filed an amended application, and they will be meeting with the Conservation Commission. The application would be taken up again at the January meeting. The Board agreed to continue the application.

4. Other Business

A. 2026 Meeting Schedule Review & Approval

The schedule is the Board's prerogative to set and Staff following the schedule the Board establishes. It helps with deadlines for applications and materials that need to be submitted by applicants.

Vice Chair Katz moved to adopt the 2026 schedule.

Seconded by Mr. Burtan.

**The Vote on the Motion was (5-0).*

B. Proposed Zoning Amendments Review & Comment - Continued From 11/3/2025 Meeting

The role of the Board is to determine if they understand the amendments and if they can interpret the amendments as needed. The Board discussed several of the proposed changes and mentioned a few of the implications that the changes could or would have for future applications. Even though the amendments are understandable, it is apparent that some changes would have implications for current zoning rules that may not have been considered based on some of the edits.

C. Proposed Electric Vehicle (EV) Zoning Regulations Review

The impetus for this amendment pertains to an original draft of amendment 13 from LEAC and a petition filed by John LaBattis, a contractor. It is based on revisions and withdrawal of amendment 13 and the petition; and this draft has agreement by all parties. If this amendment is changed, the cost of construction would save more than half a million dollars on one project. It has to do with the requirement of the size of electric service coming into the property. As originally written, the electric requirements to service EVs required that it would have to be sized for the entire property and the electrical entrance would be massively oversized. This new requirement allows the size of electrical entrance to be determined with Liberty instead of the City. The Board reviewed documents in the packet for the new regulation.

D. Maximum Parking

The Chair commented on the maximum parking allowed on residential lots. He believes the maximum parking allowed is not reasonable, because most families have more than 2 vehicles. Striking the language that pertains to one- and two-family dwellings would be a problem. This would set up an inordinate number of special exceptions.

The Board continued to discuss other details of the amendments. One discussion pertained to the use of surface water sewage by Food trucks, rather than going through the regular sewer system.

E. Zoning Board Application Submission Requirements

The Zoning Board does not require any actual proof of property lines for a dimensional variance application. Staff have been working with all the requirements of the Zoning Board of Approval and at times go out into the field to verify where the building is supposed to be. In the real-world applicants sometimes do not even know where the property lines are. There is no proof of verification where the property lines are. And as-built drawings are not required either that have been done by a surveyor. A normal survey costs \$300 to \$800 to find a property line. A full site plan could be thousands of dollars. If it is one particular line that is of concern, that is the only area that needs to be surveyed. Mostly the facts from applicants are unsubstantiated. One way is to use existing pins and show where the building would be built, but it is sometimes difficult to find the property lines and to be able to lay out a site plan for the building.

One approach is for the Board to require surveyed proof to substantiate where the property lines are to make things accurate. Lebanon is unusual in not previously requiring a stamped site plan to get relief for a zoning ordinance. And the survey needs to be current for the property if it has been changed. If it can be demonstrated where the property pins are, that could be acceptable. Or a survey could be carried out if the pins are not available. And subdivided properties may not have property pins that are no longer accurate. The Board discussed whether an as-built document could be required.

Vice Chair Katz believes this approach is very difficult. Surveyors are incredibly difficult to find, the time to get one is years, not months or weeks. They are expensive, thousands for typical parts of an acre. Many of the changes that are requested are minimal and would make things very difficult for homeowners. If there is mandatory language, the Board needs to enforce it. Most requests are for small families, which would make it difficult for the Board as well as families that merely want to

1 repair a structure. The applications have been coming from average people, not large organizations
2 making large property developments.

3
4 Recently there have been several instances where not knowing the property lines have been
5 problematic. One solution may be to say the Board may require a survey or demonstration of the
6 property boundaries. The Board will continue to discuss the options and work with Staff on
7 appropriate language.

8
9 **5. STAFF COMMENTS**

10
11 Chairman Koppenheffer announce he is retiring after the January meeting. Vice Chair Katz will not
12 be present at the currently scheduled February meeting.

13
14 **5. ADJOURNMENT**

15
16 *Mr. Katz MOVED to adjourn the meeting at 8:22 PM.*

17
18 *Seconded by Mr. Burtan.*

19
20 **The Vote on the Motion was (5-0).*

21
22 Respectfully submitted,
23 Linda Billings, Recording Secretary

DRAFT

**LEBANON PLANNING BOARD
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE
MONDAY, DECEMBER 08, 2025 6:30PM**

MEMBERS PRESENT: Andrew Faunce (Chair), Kellen Appleton, Don Collins, Patrick Kennelly, Karen Zook (City Council Rep), Kathie Romano (alt) (REMOTE), Steven Cole (alt)

MEMBERS ABSENT: Richard Ford Burley (Vice Chair), Wes Achord

STAFF PRESENT: Tim Corwin (Deputy Planning Director), Nathan Reichert (Director of Planning & Development)

1. CALL TO ORDER

Chair Faunce called the meeting to order at 6:31pm. Mr. Corwin reviewed the City's meeting in-person and REMOTE attendance policies and procedures. Ms. Romano said she is participating remotely because she is out of town. She said no one was in the room with him during the meeting. Chair Faunce said Ms. Romano and Mr. Cole will be full voting board members for this meeting.

2. NOTICE OF REGIONAL IMPACT

The following applications were received by the Planning and Development Department on or before December 08, 2025:

- **Robert J. Oakes, Laplante Road (Tax Map 138, Lot 27), zoned R-3, RL-1 & RL-2: Pursuant to Section 10.2 of the Subdivision Regulations, applicant requests Design Review of a Preliminary Layout for a proposed Planned Unit Residential Development (PURD) containing 13 residential units together with related site improvements. PB2026-01-PMAJ**
- **Execusuite, LLC, 22 School Street (Tax Map 92, Lot 2), zoned R-O: Applicant requests Site Plan Review to add seven (7) additional dwelling units within the existing building for a total of _____ dwelling units, together with associated site improvements. PB2026-02-SPR**

Mr. Corwin said Staff recommends the applications do not have the potential for regional impact.

A MOTION was made by Andrew Faunce that the applications of Robert J. Oakes, Laplante Road (Tax Map 138, Lot 27) PB2026-01-PMAJ and Execusuite, LLC, 22 School Street (Tax Map 92, Lot 2), PB2026-02-SPR do not have the potential for regional impact. The MOTION was seconded by Kellen Appleton.

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

Chair Faunce said Item 3C will be heard first, which is out of the order of the meeting agenda.

3. PUBLIC HEARING ITEMS

C. Occom Path, Inc. and Trustees of Dartmouth College, 11 Oak Ridge Road (Tax Map 4, Lot 6), zoned R-3: On May 17, 2021, applicant obtained a Conditional Use Permit per Sections 501.1 & 501.2 of the Zoning Ordinance, Final Major Subdivision approval, and Site Plan Review approval of a proposed Planned Unit Residential Development (PURD) (PB2020-31-FMAJ). Applicant now requests an amendment to the project approval to convert ownership of the parcel into a twenty-one (21) unit condominium. PB2025-53-FMAJ

Mr. Corwin said the applicant wants to convert a multi-unit rental development into condominium units. He said that kind of conversion meets the regulation of major subdivision. He also reviewed Section 6.3 subdivision regulations, which states that properties are exempt from subdivision review by the Planning Board if the Planning Director determines that no material change in use has been made to the plans.

[At 6:40pm, Ms. Zook arrived at the meeting.]

He said Staff reviewed the application and determined there has been no material change in use to the plans, that it meets the specifics of Section 6.3 exemption, and, therefore, does not require approval by the Planning Board. Mr. Corwin explained the appeal process. He said the Board members can review the application and decide whether it agrees with the opinion of Staff or if it feels the application should be subject to subdivision review. The Board members said they agreed with Staff's recommendation and no review is needed.

Chair Faunce opened the public comment portion of the hearing. No one from the public spoke. Chair Faunce closed the public comment portion of the hearing.

Chair Faunce said there is no further discussion needed for this application.

A. Walhowdon Farm, Inc., 24 & 26 Walhowdon Way (Tax Map 138, Lot 5), zoned RL-2 & RL-3, and Mark & Jadene Patch, 0 Churchill Way (Tax Map 138, Lot 9), zoned RL-2: Request for approval of a Boundary Line Adjustment. PB2025-51-BLA

Mr. Corwin said the application is complete enough for the Board to accept jurisdiction and commence review.

A MOTION was made by Andrew Faunce that the application of Walhowdon Farm, Inc., 24 & 26 Walhowdon Way (Tax Map 138, Lot 5), PB2025-51-BLA is complete enough for the Planning Board to accept jurisdiction and commence review. The MOTION was seconded by Kellen Appleton.

**The MOTION was approved (7-0).*

Mr. Eric Mitchell (land surveyor) was present on behalf of the applicant. He gave an overview of the boundary line adjustment request, which would result in 13 acres of an adjacent property on Churchill Way being added to the Walhowdon Farm property. He said an easement would be put

1 on an existing access road from Churchill Way to the farm. He said the applicant is asking for
2 waivers from the requirement to show all the buildings and everything on the farm property and
3 the requirement to do a full boundary survey on the farm property. He confirmed that the
4 property boundaries have been determined to be the way they are depicted on the plan.

5
6 Chair Faunce opened the public comment portion of the hearing.

7
8 Ms. Lisa Lance (Ward 2) said her property abuts the Churchill Way property. She asked for more
9 clarity on the reason for the easement request for the access road. She said it is a dirt road now
10 and said she wondered if it would be made into an actual road. Mr. Mitchell said the road should
11 not be changed physically. He said the reason for the easement is to ensure the farm has legal
12 access to use the trail.

13
14 Chair Faunce closed the public comment portion of the meeting.

15
16 ***A MOTION was made by Patrick Kennelly that the Planning Board grants the waiver from***
17 ***Section 8.2.A.5 of the Subdivision Regulations requiring the depiction of all existing***
18 ***structures on the subject lot, finding that strict conformity would pose an unnecessary***
19 ***hardship to the applicant and the waiver would not be contrary to the spirit and intent of the***
20 ***regulations.***

21
22 ***The MOTION was seconded by Kellen Appleton.***

23
24 ****The MOTION was approved (7-0).***

25
26
27 ***A MOTION was made by Patrick Kennelly that the Lebanon Planning Board approves the***
28 ***application of Walhowdon Farm, Inc. and Mark & Jadene Patch for a proposed Boundary***
29 ***Line Adjustment between Tax Map 138, Lots 5 and 9, zoned RL-2 & RL-3, PB2025-51-BLA,***
30 ***as shown on a plat titled "Minor Lot Line Adjustment Plan," prepared by Eric C. Mitchell &***
31 ***Assoc., Inc., dated November 7, 2025, Job No. 88-84, including any and all supplemental***
32 ***submissions and testimony provided during the public hearing.***

33
34 ***In support of its decision, the Board finds that the applicant has submitted plans, testimony,***
35 ***and technical data prepared by a licensed land surveyor that, together, satisfactorily***
36 ***demonstrate compliance with the applicable requirements of the Subdivision Regulations***
37 ***except as may reasonably be addressed through the imposition of certain conditions of***
38 ***approval, set forth below.***

39
40 ***This approval is subject to the following conditions:***

41
42 ***A. General Conditions***

43 ***1. This approval shall be considered void unless, within two (2) years from the date of this***
44 ***Notice of Action, a) all conditions precedent have been met and b) the plat and this Notice of***
45 ***Action have been recorded in the Grafton County Registry of Deeds. (Sections 7.11 & 7.12.B)***
46 ***The plat and Notice of Action shall be recorded by the Planning & Development Department***
47 ***in accordance with Planning & Development Department recording procedures.***

48 ***2. This approval shall automatically expire and be considered void upon failure to meet any of***
49 ***the conditions of approval set forth herein within the timeframes specified.***

B. Conditions to be Satisfied Prior to the Signing and Recording of the Plat

1. The applicants shall provide a revised plat depicting the following changes to the satisfaction of the Planning and Development Department:

a. Correct the proposed lot area of Tax Map 138, Lot 9, to 676,742 sq. ft.

b. Provide the date and description of the plat revisions. (8.2.A.1)

2. The applicants shall provide a digital record drawing of the revised plat (Cad .dwg format using NH State Plane Coordinate system or an alternative approved by the City's GIS Coordinator) to the Planning and Development Department.

3. Regarding the proposed access easement across Tax Map 138, Lot 9, the applicants shall satisfy the requirements of Section 215.2.A of the Zoning Ordinance, including but not limited to execution of an easement agreement and obtaining a Zoning Permit.

4. The applicants shall provide to the City draft copies of the deeds of the land transfer for review to ensure the transfer will be completed properly for Assessing and recording purposes.

5. The applicants shall submit two (2) mylars of the approved plat and applicable recording fees to the Planning and Development Department in accordance with Planning & Development Department recording procedures. (8.1.D & 7.11)

6. The applicants shall submit the executed deeds of the land transfer together with applicable recording fees to the Planning and Development Department to be recorded contemporaneously with the plat.

The MOTION was seconded by Don Collins.

***The MOTION was approved (7-0).**

A MOTION was made by Patrick Kennelly that the Lebanon Planning Board authorizes the Chair to sign the plat of Walhowdon Farm, Inc. and Mark & Jadene Patch, PB2025-51-BLA, titled, "Minor Lot Line Adjustment Plan," prepared by Eric C. Mitchell & Assoc., Inc., dated November 7, 2025, Job No. 88-84, and as revised per the Planning Board's conditions of approval.

The MOTION was seconded by Kellen Appleton.

***The MOTION was approved (7-0).**

B. Cicotte Holdings, LLC, 51 Evans Drive (Tax Map 78, Lot 40, Plot 200), zoned R-O-1: Request for Site Plan Review per Section 3.1.D of the Site Plan Review Regulations to expand the outdoor vehicular storage area for an existing vehicular sales use together with associated drainage improvements. The proposed site plan will replace the site plan previously approved on April 28, 2025 (PB2024-48-SPRCUP). PB2025-52-SPA

Chair Faunce said this application request has been presented before, and this current submission seems to be the same as the previous application but does not include the approved site improvements that were part of the original agreement. He said the applicant submitted a list of waivers for several of the site improvement requirements, so that may be why the site improvements are not included.

1 Attorney Barry Schuster, Mr. Adam Morse (Engineering Ventures), Ms. Johanna Cicotte
2 (Cicotte Properties) were present on behalf of the client. Attorney Schuster gave an overview of
3 the history of this application. He said the application was the subject of litigation between the
4 applicant and the City because, after a zoning change, the dealership was found to be in violation
5 and the Zoning Board refused to hear the applicant's appeal of the violation determination. He
6 said a settlement of that litigation was reached between the parties. He said the City has agreed
7 that the applicant may pursue one of the following three avenues for physical compliance:

- 8 • Implement the plan that was approved last spring
- 9 • File an application for an amended site plan on or before November 10, 2025
- 10 • Remove the asphalt, remove the paving

11
12 He said the applicant has chosen the second option – to present an amended plan – which is why
13 it is being presented at this meeting. Chair Faunce said he'd like to have legal counsel review this
14 request in light of the language of the settlement agreement. Ms. Appleton said they thought
15 Staff had recommended that the Board find the previous application was not complete enough
16 for review. Chair Faunce recommended the hearing be postponed to allow the applicant to
17 review the items that were identified as needed for completeness by Staff and to give the Board
18 time to have legal review.

19
20 *A MOTION was made by Andrew Faunce to postpone the public hearing on this application –*
21 *to give the applicant time to work on completeness and to allow the Planning Board to work*
22 *with legal counsel with respect to accepting a subsequent application – to the January 12,*
23 *2026 Planning Board meeting. The MOTION was seconded by Kellen Appleton.*

24
25 **The MOTION was approved (7-0).*

26 27 **4. STUDY ITEMS**

28 29 **A. Review of proposed amendments to Section 608 of the Zoning Ordinance (EV** 30 **regulations) and related proposed site plan amendments**

31
32 Mr. Reichert gave an overview of the EV Regulations Task Force's activity related to the
33 discussion about the zoning ordinance amendments related to EV Regulations. He discussed how
34 the task force decided the regulations would remain with the Zoning Board, but some identified
35 situations that could trigger site plan review by the Planning Board. He also explained the
36 group's decisions regarding investment by the developers for EV hardware and technology. Mr.
37 Reichert said the new proposal was provided in the agenda packet.

38
39 The group discussed the details of the new proposal, which Mr. Reichert said replaces the
40 previous amendment proposals by Mr. Jon Livadas and the Lebanon Energy Advisory
41 Committee (LEAC), at length. Mr. Collins and Ms. Appleton said (during the task force
42 deliberation) there was some uncertainty about enforcement of expansion of the number of EV
43 parking spaces at a development in response to increased occupancy. Ms. Appleton said the
44 zoning amendment on its own does not ensure enforcement; the site plan review by the Planning
45 Board is needed.

46
47 Chair Faunce suggested the Planning Board include a note in its recommendation of the
48 proposed EV Regulation amendments that additional details (related to the triggering and
49 enforcement of increasing the number of EV parking spaces) need to be sorted out. He said he

1 felt the current proposal was almost like a good Part 1, but a Part 2 should perhaps be a
2 discussion held – maybe within the next quarter or two quarters of next year – about the
3 triggering mechanism related to enforcing the expansion of spaces and site plan review.

4
5 Ms. Sherry Boschert (EV Subcommittee of LEAC) said the requirement of an expansion plan
6 could include notifying the residents about the possibility of the expansion of the number of EV
7 spaces. She explained the current proposed EV Regulations amendment in detail to the group.

8
9 The group discussed the impact that the proposed zoning amendments might have on smaller
10 developments (one-family homes with ADUs and two-family homes). Ms. Romano asked if
11 local electricians have been updated on these proposed changes so they understand what the
12 requirements are and how they can be affordably achieved.

13
14 Mr. Livadas and Ms. Boschert said they would be available to provide information during
15 Planning Board site plan review related to EV Regulations.

16
17 ***A MOTION was made by Kellen Appleton that the Planning Board endorse the EV***
18 ***Regulation amendment as proposed.***

19
20 Chair Faunce asked that the following be added to the motion: “That the Planning Board would
21 welcome the City Council's endorsement and support for expediting the Planning Board and its
22 allies the creation of the site plan review materials that will be the underpinning of the delivery
23 of the service.” The following amended motion was put to vote:

24
25 ***A MOTION was made by Kellen Appleton that the Planning Board endorses the EV***
26 ***Regulation amendment as proposed; The Planning Board would welcome the City Council's***
27 ***endorsement and support for expediting the creation of the site plan review materials (by the***
28 ***Planning Board and its allies) that will be the underpinning of the delivery of the service.***
29 ***The MOTION was seconded by Don Collins***

30
31 ****The MOTION was approved (4 -2, with Zook abstaining).***
32 ***Faunce, Kennelly, Collins, Appleton: aye***
33 ***Romano and Cole: nay***

34
35 **B. Review and Comment to City Council on Proposed Zoning Map and Text Amendments**
36 **– continued from November 24, 2025**

37
38 Mr. Richert said this item is a continuation of the discussion from the last meeting (November
39 24, 2025). He reviewed the amendments that were discussed at the last meeting.

40
41 Mr. Reichert said some maps that were discussed at the last meeting did not get into that
42 meeting's agenda packet. He said those maps have been included in the agenda packet for this
43 meeting. These maps relate to zoning changes related to

- Centerra/Alterra area
- LaBombard Rd area
- Area south of Evans St

The group discussed the amendments that were mentioned at the November 24, 2025 meeting.

Mr. Dan Nash said he brought follow-up information that was requested at the last meeting: he said there are three non-RockRidge parcels that are not affected by his proposed amendments.

He said abutters have not yet been notified, but Mr. Reichert said abutters would be notified a week prior to the election (when the zoning amendment would be on the ballot). The Board members suggested the abutters be notified earlier than one week before the election.

A MOTION was made by Kellen Appleton that the Planning Board approves the proposed zoning amendments 1- 20, with the exception of Amendment 13 (which has been retracted) and petition Amendment 3, as presented the December 8, 2025 Planning Board meeting. The MOTION was seconded by Andrew Faunce.

****The MOTION was approved (6-0 with Zook abstaining).***

C. Review of and Discussion re: Master Plan Update and Implementation Process

Mr. Corwin said Staff has suggested this item should be discussed at the next meeting.

5. APPROVAL MINUTES – November 10, 2025

Amendments: Pg 3 line 45 HOA not HOV

A MOTION was made by Andrew Faunce to approve the November 10, 2025 Planning Board Meeting minutes as amended. The MOTION was seconded by Kellen Appleton.

****The MOTION was approved (7-0).***

6. ADJOURNMENT

A MOTION was made by Kellen Appleton to adjourn the meeting at 9:03pm. The MOTION was seconded by Patrick Kennelly.

****The MOTION was approved (7-0).***

The meeting adjourned at 9:03pm.

Respectfully submitted,
Paula Roux
Recording Secretary

The amendments included in this packet include:

1. State Legislative Updates:
 - a. **Amendment 1:** HB1361: Manufactured Homes
 - b. **Amendment 2:** HB631: Multifamily Residential
 - c. **Amendment 3:** HB284: Residential Parking Requirements
 - d. **Amendment 4:** HB577: ADUs
2. Map Amendments and corresponding text amendments:
 - a. **Amendment 5:** Centerra/Alterra
 - b. **Amendment 6:** Conservation Area
 - c. **Amendment 7:** LaBombard Road
 - d. **Amendment 8:** Heater Road
 - e. **Amendment 9:** Wildlife Corridor Map and Text
 - f. **Amendment 10:** Northern Lebanon Use Tables & Text
3. City Board, Commission, Committee Sponsored Amendments
 - a. **Amendment 11:** Section 408: Historic District (Heritage Commissi
 - b. **Amendment 12:** Mobile Food Service Vending Ordinance (Food Tr
 - c. **Amendment 13:** EV Regulations (LEAC Sponsored)
4. Text Amendments
 - a. **Amendment 14:** Section 608: Signs; Definitions: Window Sign streamlining
 - b. **Amendment 15:** Section 411: Pattern Zones Overlay District
 - c. **Amendment 16:** Section 509: Cottage Cluster Developments
5. Misc & Technical Amendments
 - a. **Amendment 17:** Definition of *Care and Treatment of Animals* change of corresponding use tables.
 - b. **Amendment 18:** Section 1000
 - c. **Amendment 19:** Definition of Lot & Definition of Agriculture
 - d. **Amendment 20:** Changes to Impact Fees

DRAFT

LEBANON CONSERVATION COMMISSION
MEETING MINUTES
CITY COUNCIL CHAMBERS, CITY HALL
Remote Via Microsoft Teams
[LebanonNH.gov/Live](https://lebanonnh.gov/Live)
December 11, 2025
6:30 PM

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

MEMBERS ABSENT: Chris Johnson

STAFF PRESENT: Mark Goodwin (GIS Coordinator)

1. CALL TO ORDER:

A. Chair Riley called the meeting to order at 6:31 PM.

2. APPROVAL OF MINUTES:

A. November 13, 2025

*Vice Chair Bruce James MOVED to approve the minutes as amended
Seconded by Mr. Ernst Oidtmann*

**The MOTION was approved (7-0)*

Amendments:

Add Meeting Room 1

Correct - Mr. Heistad was in attendance rather than absent

Delete Susan Almy abstention (she was serving in Alternate role today; no voting)

Motions 2 thru 5 change votes to (6-0) from (7-0)

Motion 6 change vote to (7-0) from (8-0)

Pg. 4, line 13, change from less concerns to **fewer** concerns

Motions 7-9, change votes to (6-1) from (7-1)

Motion 10 change vote to (7-0) from (8-0)

Motion 11 change vote to (6-0) from (7-0)

Motion 12 change vote to (7-0) from (8-0)

Pg. 5, line 23 correct spelling to Labombard from LeBombard

Pg. 5, delete lines 32&33

3. OPEN TO THE PUBLIC:

4. PERMIT REVIEW:

A. Mark C. & Mary E. Manikian, Review and Comment on Zoning Board Riverbank Use
Variance application. Applicant proposed to construct a new 520 SF garage & associated site

1 work. Applicant requests a Use Variance pursuant to Article IV, Section 401.5 (Permitted
2 Uses), & 410.8B (Interested Parties) of the Zoning Ordinance. 69 NH Route 4A, Map 84, Lot
3 46. CC2025-05
4

5 Mr. Mark Goodwin started by providing some guidance for this permit review which falls under
6 the City's riverbank protection district which is an overlay district in the Zoning ordinance, and
7 the relevant sections of this were referenced in the packet. ConCom's role is an interested party
8 speaking to how their proposal may or may not impact natural resources. The Zoning Board will
9 take ConCom's input into consideration when they deliberate this request. ConCom can make a
10 recommendation if they choose to do so.
11

12 Mr. Don Lacey inquired how this compares to the State shoreline protection; is it more or less
13 restrictive? Mr. Goodwin said that they will also apply to the State on this which is more
14 restrictive as relates to the geographical area, but local is more restrictive in some ways.
15 Their main target audience is to the Zoning Board, and they are seeking relief to what they are
16 proposing to do.
17

18 Mr. Mark Manikian, property owner of 69 NH Route 4A, Map 84, Lot 46, started by saying they
19 are respectfully requesting an exception to their regulations on the shoreline. He is director of
20 water quality on this lake and appreciates the work that ConCom does to this end as well. He said
21 that DES has already approved what they are proposing.
22

23 They are proposing to build a detached garage next to their house; the sideline setback is not an
24 issue since it is 57 feet to the neighbor on that side. The State, in looking at the plans, wanted the
25 front of the garage flush with the front of the house and the garage front and back equal distance
26 from the lake and the street, 23' feet each way.
27

28 Mr. Manikian said that they followed that direction and have proceeded having the work done in
29 compliance with this. If they are allowed to build this, they will be reducing the impervious area
30 by 750 square feet (they are removing the driveway), so runoff into the lake will be decreased by
31 that. Also, they will be installing a cistern to collect all waters coming off of the roof, which will
32 dramatically reduce the water that is running down the hill where the garage is being built. He
33 said this will reduce the organic burden on the lake. They are seeking a variance because the
34 proposed structure is within 50 feet of the shoreland.
35

36 Chair Riley asked if any of the native vegetation would be impacted; Mr. Manikian said that no
37 trees would be removed but they would be removing some blueberries and raspberries in the
38 vicinity. Mr. Lacey asked what happens to the water from the cistern, and Mr. Manikian said it
39 will slowly seep back into the ground, similar to a septic tank. The roofline will run perpendicular
40 to the shoreline. Mr. Lacey inquired if they are building a new retaining wall and Mr. Manikian
41 responded that they are not building a new wall but plan to utilize the berry bushes and other
42 vegetation that they are moving and put these in the area near the retaining wall.
43

44 The driveway will be replaced by grass. Chair Riley said that there are best practices about
45 putting in perennial, dense native plants (that do not need to be watered) rather than grass, and
46 these native plants do better than grass. They have deep roots and they help stabilize the soil. She
47 has concerns about that much lawn so close to the lake. Mr. Manikian said that they can do this,
48 and that they are open to suggestions. She would be interested in seeing a reduction in lawn and
49 less nutrient intensive and maintenance intensive vegetation. There are lists of these plants
50 available for him to access, and she referred him to the "Soak Up the Rain Program" for more tips
51 and best practices for water management. He said that he has his own well and sewer.

Vice Chair James said that he is encouraged that they will not be removing any riparian trees near the lakeshore, and that this is a relatively minor impact, and in some ways positive (e.g. capturing the runoff water). Mr. Manikian said that any work they do, they think about the water quality.

Ms. Hirai asked if there are regulations around the lake. Mr. Lacey lives nearby and said that all herbicides are forbidden, but that many residents ignore the regulations.

Vice Chair James said that it seems that this is a minor impact compared to much that has already been done in the vicinity of this shoreline. He complimented Mr. Manikian on doing his homework.

Mr. Manikian said that they have also planted many tall grasses near the water. He said no trees on his property have been cut, ever.

Vice Chair James MOVED that they recommend to the Zoning Board to accept this application for an exception, with the recommendation to the owner to consider some native plantings, instead of the lawn, in the grassy area.
Seconded by Mr. Ernst Oidtmann

****The MOTION was approved (7-0)***

Ms. Hirai said the applicant was very careful and thoughtful about this project and this could be a model on how to work on the lake and wondered if they could work with whoever is enforcing the regulations to help support this type of thing with their neighbors. Mr. Lacey said that there is no enforcement and he ended by saying this was an exemplary application and he too thanked Mr. Manikian. The applicant in turn said he would write about herbicides, and other harmful chemicals, in an upcoming article that he writes for his neighbors who also own lakefront property.

5. STUDY ITEMS:

A. Review and comment on proposed Zoning Amendments – continued from November 13, 2025.

Map Amendments:

Amendment 7: Labombard Road: During the November 13, 2025 meeting, Mr. Reichert explained that this area is fairly well developed. The Hatch property already has 47 acres of conservation area, and they have added Elks/Dartmouth Coach, and they removed all properties on Etna Road, based on feedback from property owners there. All that is green on this map is included in this amendment. Chair Riley said she has concerns about converting RL-1 into GC-1. She said it's important to take into consideration the topography and the tree lines and how it is zoned (e.g. Hatch property would be surrounded by GC-1).

Ms. Hirai has some concerns about the large parcels on the upper parts. Chair Riley posed if they could add steep slopes protections to GC-1. Mr. Goodwin said that small changes are okay, as is taking away from a map but not *adding* to it.

On December 11, 2025 the Conservation Commission resumed their discussion about **Map Amendment 7** for the next approximate 1 ½ hours, including looking at **Amendment 10** and the chart of proposed **Permitted Uses and Uses by Conditional Use Permit** (see Agenda packet), and addressing concerns and

1 questions and hearing from the public. Table of uses is key and Mr. Goodwin along with ConCom also
2 discussed this at length.

3
4 Amendment 7 seeks to Rezone the several key properties in the Labombard Road area. GC-1 allows for
5 more density, such as dense, multi-family housing. RL-3 is the most restrictive.

6
7 Mr. Goodwin said that for the western section, they are thinking of what is currently in place and what the
8 intensity of this same area could be with zoning changes.

9
10 He said a logical focus for Map amendment 7 could be for the areas currently zoned IND-L proposed to
11 go to GC-1, if they look at the list of possible uses, if all of these were approved, are any of these uses
12 new, that cannot be done today? That is what to focus on. For example, if a bus terminal gets added under
13 GC-1, but you can already do a bus terminal under IND-L, then there is no difference if GC-1 gets
14 adopted. No net change. He added that between Rt 120 and Labombard Rd., it is probably a wash with a
15 change to GC-1

16
17 There are uncertainties and ambivalence in the Conservation Commission's understanding about what
18 will be allowed under GC-1, resulting in the following statement:

19
20 ***Vice Chair James MOVED that the Conservation Commission recommend under Map Amendment 7***
21 ***that the GC-1 designations be divided into three:***

22 ***The Western portion one between Route 120 and Labombard Road would be provisionally accepted***
23 ***given concerns about wetlands.***

24 ***The Northern portion would proceed as written.***

25 ***The Southern portion, they do not accept and recommend that it be left as RL-1 and RL-3 because it is***
26 ***near conservation land and it would be better protected with these current designations rather than with***
27 ***GC-1, and, the topography is somewhat limited there with steep forested slopes and power lines.***

28 ***Seconded by Mr. Don Lacey***

29
30 Mr. Jay Champion, largest property owner in the areas being discussed, spoke next and said that the
31 wetlands protections are the same, regardless of what the zone is. The proposed change would make a
32 hotel a permitted use, currently allowed because of a variance. What this would do, for example, is that it
33 would allow Mr. Champion to add 40 rooms (such as for sports teams that come to the area). So, the use
34 change would be a good thing in his opinion. He said that the GC-1 uses are more conducive to what they
35 are trying to accomplish in this area, such as trying to get a Trader Joe's here. Under IND-L, they cannot
36 do this, whereas under GC-1, they can.

37
38 He said that with the exception of the Elks properties, they have been discussing these changes for two (2)
39 years, and he does not think changing this now is a good thing. He thinks they should be voted on one
40 way or the other. He reiterated that the wetland protections are the same, no matter which way they are
41 zoned.

42
43 Lastly, he said that these changes would allow for the restrictions of residential density to be put in the
44 hands of the Planning Board which is a positive for the City of Lebanon and for him.

45
46 ****The MOTION was approved (6-1)***

47
48 **Amendment 8: Heater Road**

1 The amendment would change the parcel to GC-1. There are extensive wetlands in this area and Chair
2 Riley said that their protections won't be changed under Amendment 8, just the uses that will happen
3 adjacent to them will change.

4
5 Vice Chair James said that given what they've heard previously from the owner, he suggests that they
6 pass this amendment; Ms. Hirai agreed. The protections won't be changed for the extensive wetland that
7 are there, just the uses that will happen adjacent to them will change. Vice Chair James's logic is that there
8 has already been extensive disturbance of this land, and the owner has had the land leveled, drainage
9 seems to be effective, and so GC-1 would be most logical at this point in time.

10
11 ***Vice Chair James MOVED that the Conservation Commission approve Map Amendment 8***
12 ***Seconded by Ms. Hirai***

13
14 ****The MOTION was approved (7-0)***

15
16 **Amendment 9: Wildlife Corridor Map and Text**

17
18 This amendment requires one to go through a process in order to build or change it. The uses are not
19 changed but there will be an extra layer of Planning Board scrutiny.

20
21 The proposed blue area is considered a concentrated wildlife habitat and it deserves wildlife protection.

22
23 ***Vice Chair James MOVED that the Conservation Commission recommend that the City Council***
24 ***accept this amendment.***
25 ***Mr. Oidtmann seconded***

26
27 ****The MOTION was approved (7-0)***

28
29 ***Vice Chair James MOVED to extend this meeting 30 minutes***
30 ***Seconded by Ms. Almy***

31
32 ****The MOTION was approved (7-0)***

33
34 **Amendment 10: Northern Lebanon Use Tables & Text**

35
36 Mr. Goodwin said that this is a planning analysis and discussion and not resources. It will modify uses in
37 certain zoning districts.

38
39 ***Vice Chair James MOVED to have ConCom accept this Amendment as written (recognizing that it is***
40 ***the purview of the Planning Department staff who have created the technical language associated with***
41 ***the planning process and zoning changes and he does not think that Con Com is in a position to***
42 ***interpret this one way or the other)***
43 ***Seconded by Mr. Lacey***

44
45 ****The MOTION was not approved (3-4)***

46
47 ***Ms. Almy MOVED that the Conservation Commission does not feel capable of anticipating what this***
48 ***amendment will do to the natural resources and therefore can neither endorse nor refute the***
49 ***amendment.***

50 ***Seconded by Vice Chair James***

51 ****The MOTION was approved (7-0)***

1
2 **Amendment 13: EV Regulations Section 607.8 (LEAC Sponsored) **Withdrawn**

3
4 **Amendment 21: EV Regulations Section 607.8 **New – Added for ConCom review 12.11.25**

5
6 Chair Riley shared that this is an addition to the amendments based on recent results by LEAC.

7
8 Chair Riley recommends that the City Council adopt this amendment because this will provide more
9 charging opportunities in rentals and also in new construction, and encourages low power,
10 level 2 charging, so it demands less from the power grid.

11
12 *Ms. Hirai MOVED that the Conservation Commission recommends the City Council adopt*
13 *Amendment 21, the transition from fossil fuels to electric vehicles. The potential for EVs will reduce*
14 *the impact on the natural environment both in Lebanon and beyond.*
15 *Seconded by Erling Heistad*

16
17 **The MOTION was approved (7-0)*

18
19 Next, resident Dan Nash got up to speak about two amendments, first **Resident Amendment #2,**
20 **Petitioned Amendment 2:Map Amendment Rezone Parcel 26-2 on Etna Road from IND-L and RL-**
21 **3 to**

22 **GC-1. This is a proposal to rezone all or part of 26-2 to GC-1.**

23 He was unable to attend (remote connectivity issues) as he has planned for the November ConCom
24 meeting. See pages 2&3 of 6 of the November 13, 2025 Minutes. The Conservation Commission
25 approved a MOTION that they do not recommend approval of this proposed amendment as there are
26 significant natural resource elements that exist on parcel 26-2. Also, it is in direct conflict with proposed
27 zoning amendment #6 which the Conservation Commission strongly endorses.

28
29 Mr. Nash pointed out that there are almost 400 preserved acres next to the 14 acres in question. There are
30 another 18 acres that are already RL-3. They anticipate over time being able to build 3 more tree-top
31 apartment buildings, with approximately 375 units on this parcel. The land already has water, sewer,
32 power, and roadway access. The goal they have been pursuing for the past two years was to increase
33 opportunities for housing. If they decline this, the parcel has no use for the owner. He noted that there is
34 *no major water feature through this property*, noting ConCom inaccuracies.

35
36 **Petitioned Amendment #1: Map Amendment Rezoning of Parcel along Old Pine Tree Cemetery**
37 **Rd. from RL-2 to R-3.**

38 Chair Riley said that they are not against more density but ConCom was opposed to the use of a zoning
39 change to go about this; it is perhaps not the best way though they do not know what that would be. They
40 are not against having increased density, rather the mechanism of how it was proposed.

41
42 Vice Chair James said that the important thing is that Mr. Nash's comments are now entered into the
43 public record today and that Mr. Nash has succinctly entered his concerns about both of these Proposed
44 Amendments.

45
46 As an aside, Mr. Nash had provided Mr. Reichert with maps of the proposed changes, in advance of this
47 meeting, but Mr. Reichert was unable to attend today's meeting. He added "A picture is worth a
48 thousand words."
49

50
51 **6. COMMITTEE REPORTS:**

1
2 A. Biodiversity Group (Invasives)
34 B. Stewardship
5 -Ranger
6

7 Neal Montibello, our Conservation Ranger, remains very active and is able to continue his work
8 due to the Conservation Commission funding an additional \$5,000 (above and beyond the
9 \$10,120 that they funded earlier this year). He has been able to work on boundary blazing.

10
11 Mr. Goodwin had not budgeted for the Jackson property mowing, and the bill just arrived. There
12 will be a deficit of approximately \$275-\$300 maximum. Mr. Goodwin asked for an additional
13 \$300 from the Conservation Commission Lost Fund, which will provide these funds to use if
14 needed.

15
16 ***Chair Riley MOVED to approve these additional funds of \$300 from the ConCom Lost Fund.***
17 ***Seconded by Mr. Heistad***
18

19 ****The MOTION was approved (7-0)***
20

21 -Trail Coordinator
22 -Monitors and Stewards
23

- 24 C. Wild about Lebanon
25 D. Amphibian Crossings
26 E. LUCT/Current Use
27 F. Other Subcommittees
28

29 **7. OTHER BUSINESS:**
30

- 31 A. FYIs
32 B. Follow Up
33 C. Workshops and Educational Opportunities
34

35 **8. FUTURE AGENDA ITEMS:**
36

37 **9. ADJOURNMENT:**
38

39 ***Vice Chair James MOVED to adjourn the meeting.***
40 ***Seconded by Ms. Almy***
41

42 ****The MOTION was approved (7-0)***
43 **The meeting ended at 9:26PM.**
44

45 Respectfully submitted,
46 Cinda Mersel
47 Recording Secretary
48
49
50
51

October 27, 2025

Nathan Reichert
Director of Planning & Development
City of Lebanon
51 N. Park Street
Lebanon, NH 03766
nathan.reichert@lebanonnh.gov

RE: Twenty 2025-2026 Proposed Zoning Amendments

Mr. Reichert:

This is a preliminary legal opinion as required by Section 1000.3(B)(2) of the Lebanon Zoning Ordinance concerning twenty (20) amendments to the zoning map or the text of the zoning ordinance proposed by the planning board, planning staff, or the city council. I have reviewed a staff memorandum packet dated September 22, 2025 which includes informational materials for each of the twenty amendments.

The ZO requires this legal review to cover: (a) whether such amendment is 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 amendment can be administered and enforced.

With respect to the twenty (20) proposed amendments described in the September 22, 2025 Planning and Development Department Staff Memo, my general answer to the three questions in Section 1000.3.B(2) is “yes”, subject to specific comments as to appropriate form set forth below. With the exception of my comments below, I discern no significant legal or administrative issues of concern with these proposed amendments. If I do not reference a specific amendment below, then I have no comments as to its form.

1. Amendment 1: 2024 HB1361: Manufactured Homes

As amended by 2024 HB1361, RSA 674:32, I(b) specifies that municipalities must afford opportunities for siting of manufactured housing in one or more specific areas: (1) on individual lots, in districts zoned to permit residential uses; **OR** (2)(A) in manufactured housing parks in districts zoned to permit residential uses and (2)(B) in subdivisions created for the placement of manufactured housing on individually-owned lots, in districts zoned to permit residential uses; **OR** (3) in all three types of locations listed in (b)(1), (b)(2)(A) and (b)(2)(B).

Section 209 in its current form allows manufactured housing in manufactured housing parks ((2)(A) above) and in manufactured housing PURDs (which, per Sections 500, 501 and 504 of

the ZO, are a type of “subdivision” for purposes of (2)(B)). Therefore, Lebanon’s ZO appears to already be in compliance with the amended RSA 674:32, I.

I note that RSA 674:32, I(c) now specifies that “[n]o special exception or special permit shall be required for... manufactured housing subdivisions pursuant to subparagraph (b)(2)(B) unless such special exception or permit is required by the municipality for single family housing located on individual lots or in subdivisions. Under ZO section 504, I note that a manufactured housing PURD requires a conditional use permit. This appears to be appropriate because ZO section 501.1.B specifies that *all* PUDs, including PURDs, require a conditional use permit.

The proposed amendment to also allow manufactured housing on individual lots in districts where one-family dwellings are permitted is in accord with RSA 674:32, I, (b)(1) and (b)(3), as it allows manufactured housing units in “most” areas zoned for “residential uses”. I recommend the following edits to the proposed addition to Section 209, to conform more closely with the statute.

Manufactured ~~H~~ousing ~~U~~nits shall also be allowed on individual lots in zoning districts that allow one-family dwellings with the following conditions:

1. The ~~M~~anufactured housing unit shall be a one-family dwelling.
2. The ~~M~~anufactured housing unit shall be on a foundation.
3. A manufactured housing unit shall not be used ~~an~~ as an ADU.
4. Design elements such as landscaping, porches, pitched roofs, and stone or bricks accents are encouraged.
5. The manufactured housing unit shall ~~follow~~ comply with lot size, frontage requirements, space limitations, and all setbacks, parking, and regulations of the zoning district.
6. Manufactured housing units are not eligible for the Pattern Zones Overlay District zoning enhancements.

2. **Amendment 3: SB284: Residential Parking Requirements**

Note that the state law requiring this amendment is 2025 Senate Bill (SB) 284, not a House Bill (HB).

The proposed amendment to ZO section 607.3(A) deletes an exception to maximum parking requirements for one- and two-family dwellings, and appears to insert a maximum off-street parking cap of 200% (double) the minimum requirement from the Table of Minimum Off-Street Parking Requirements. In its current form, the Table requires a minimum of 2.0 parking spaces per one-family or two-family dwelling unit. The proposed amendments would now seem to cap the number of parking spaces at 2.0 per one-family or two-family dwelling unit (by reducing the minimum to 1.0 spaces and only allowing 200% of the minimum).

Unless I am misunderstanding the intent of the maximum parking language, I recommend that a carve-out for one- and two-family dwellings be restored. It would be difficult to administer and enforce a maximum limit of two off-street parking spaces for residential homes.

3. **Amendments 5-9: Map Amendments – A note on Spot Zoning**

Amendments 5-9 propose re-zoning various lots up and down the Route 120 corridor. It is of course within the City's authority to change its zoning map and to change the zoning district designation of land. A hallmark of zoning is that regulation is by district and not by individual lots, so whenever a proposed change would affect a relatively limited area, it is important to consider whether that change meets the legal standard for zoning.

A change to a zoning map may be problematic "spot zoning" if it is singled out for treatment different from that of surrounding land which cannot be justified on the basis of health, safety, morals, or general welfare of the community and if the change is not in accordance with a comprehensive plan. See Miller v. Town of Tilton, 139 N.H. 429 (1995). The mere fact that an area is small, is rezoned at the request of a single owner, and is of greater benefit to that owner than to others does **not** necessarily constitute spot zoning if there is a public need for it or a compelling reason for it. Id.

In considering whether rezoning constitutes spot zoning, courts may consider whether the change is made in response to some public need. See Shadlick v. Concord, 108 N.H. 319 (1967) (zoning change was made in response to growing need for multi-family housing which already existed in proximity to the rezoned area, and thus was part of a comprehensive plan rather than spot zoning). Also relevant is whether there are sufficient opportunities for the targeted use elsewhere in the community, particularly if those other areas aren't being used. See Bosse v. Portsmouth, 107 N.H. 523 (1967) (rezoning of one parcel for industrial use when it was surrounded by residential uses was spot zoning because many other areas in the city were available for industrial use but weren't being used that way). The common thread in the case law is that a court will consider whether there is a reason or combination of reasons for the change that is in the public interest and consistent with the community's development goals.

In this case, I do not discern any "spot zoning" issues with respect to the proposed map amendments.

4. **Amendment 11: Section 408: Historic District**

The proposed amendment to reference the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings", specifically "as of 9/3/2025", and listing out those standards, means that these standards in Lebanon's ZO will not automatically update and change as the Secretary of the Interior's standards and guidelines may change. On the one hand, explicitly spelling out the standards may be helpful for readers. On the other hand, if/when in the future the standards are updated by the Dept. of the Interior, ZO Section 408.6 will need to be manually updated with further amendments to the ordinance.

5. **Amendment 12: Mobile Food Service Vending Ordinance**

I reviewed an earlier version of this ordinance in a letter dated April 4, 2025. I observe that the current version of the proposed ordinance appears to have addressed my questions and concerns.

6. **Amendment 17: Care and Treatment of Animals**

The proposed revisions to definitions include a definition for “Animal Clinic, Animal Hospital, or Veterinary Office” (emphasis added). The proposed revisions to the use tables add “Animal Clinic, Hospital, or Veterinary Office” to various zoning districts. To avoid confusion, the use tables should be updated to reference “Animal Clinic, Animal Hospital, or Veterinary Office”.

Please do not hesitate to contact me with any questions or concerns about this opinion.

Sincerely,

A handwritten signature in blue ink that reads "Matthew C. Decker". The signature is written in a cursive style with a clear, legible font.

Matthew C. Decker



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Planning and Development Department Staff

RE: Proposed Zoning Amendment 21; Electric Vehicles Section 607.8

DATE: December 23, 2025

Amendment 21 is the outcome of a special City Council and Planning Board subcommittee created by the City Council when faced with two similar but competing EV zoning amendments. At the October 1 meeting, the two Amendments centered around electric vehicles were brought before City Council. The first, originally Amendment 13, was sponsored by the Lebanon Energy Advisory Committee. The second, originally Petitioned Amendment 4, was sponsored by Jon Livadas. City Council called for a subcommittee to review the amendments and create a compromise. Amendment 21 is endorsed by both parties as well as the majority of the subcommittee. Amendment 13 and Petitioned Amendment 4 have been withdrawn and replaced by the compromise Amendment 21.

Staff propose these amendments be heard by Council and the public at the January 21, 2026, City Council Meeting.

Approval Procedure

As drafted, the proposed Council Amendments will not alter the zoning district designations or alter the Table of Uses or the Table of Area, Dimensions, and Coverage for a Residential or Rural Lands zoning districts within the City. As a result, no referendum vote is required for the proposed Council Amendments pursuant to Section 1000.4.A

Adoption of the proposed Council Amendments is recommended at this time in accordance with the procedures outlined in Section 1000.4.B as follows:

Article X, 1000.4 Action Upon Proposed Zoning Amendments.

Any proposed zoning amendment shall be acted upon and adopted or rejected as follows:

B. Action by the Council: The Council shall act on any proposed Zoning amendment not requiring a referendum vote in which case adoption of the Zoning Amendment shall require a majority vote of five members of the City Council: or alternatively, the Council may decide that such an amendment shall be submitted

to the voters at the annual City election, even though such a referendum is not required.

Included in this Packet:

1. Electric Vehicle Compromise **Amendment 21**: "Electric Vehicles" Section 607.8
2. Comments and Minutes from the Land Use Boards' Reviews
3. Withdrawal letters from
4. Legal Opinion Letter

1 **Proposed amendments to the Lebanon Zoning Ordinance and Site Plan**
2 **Regulations, drafted by the EV Subcommittee of the Lebanon Energy Advisory**
3 **Committee (LEAC)**

4
5 **Proposed changes in red text were endorsed unanimously by LEAC on June 19, 2025.**
6 **New proposed text in blue, was developed collaboratively by Sherry Boschert, Clifton**
7 **Below, Jon Livadas, and the EV subcommittee of LEAC and was endorsed by the LEAC**
8 **EV Subcommittee on November 13, 2025. The next LEAC meeting is not until**
9 **November 20. Deletions from existing text are mostly not shown to simplify**
10 **presentation.**

11
12
13 **Zoning Ordinance pages 136-137:**

14
15 607.8 Electric Vehicles.

16
17 A. Purpose. The purpose of this section is to facilitate the transition to electric vehicle
18 use and to expedite the establishment of convenient, cost-effective electric vehicle
19 infrastructure that such a transition necessitates.

20
21 B. Applicability. EV charging stations are allowed as an accessory use in all zoning
22 districts. When the retail charging of electric vehicles is proposed to be the principal use
23 of a lot, then the proposed EV charging station shall be considered a service station for
24 zoning purposes.

25
26 C. EV Infrastructure Requirements / Off-Street EV Parking Requirements. EVSE-
27 installed spaces, EVSE-ready spaces, and EVSE-capable spaces shall be provided as
28 follows:

- 29
30 1. One- and Two-Family Dwellings. All new one- and two-family dwellings shall
31 provide at least one (1) EVSE-Ready **Low-power Level 2 charging** space per
32 dwelling unit.
33
34 2. **All new dwellings with up to three units, including Accessory Dwelling Units**
35 **(ADUs), shall provide at least one (1) EVSE-Ready Low-power Level 2**
36 **charging space per new dwelling unit.**
37
38 3. Multi-Family Dwellings (four or more units; **adding units to existing multi-family**
39 **housing triggers the requirements for the new units only**). Parking for new
40 multi-family dwellings shall **provide:**
41 a. **For each residential unit with parking, at least one EVSE-Ready Low-**
42 **power Level 2 charging space per unit for 5% (five percent) of total units with**
43 **parking.**
44 b. **EVSE-Capable Low-power Level 2 spaces for a minimum of 10% (ten**
45 **percent) of residential units with parking. When 80% (eighty percent) of the**
46 **EVSE-Ready spaces described in 3.a. are in use, the property owner shall**

convert half or more of the EVSE-Capable spaces to EVSE-Ready; after that, when 80% (eighty percent) of total EVSE-Ready spaces are in use, additional EVSE-Capable or EVSE-Planned spaces shall be upgraded to EVSE-Ready or EVSE-Capable pursuant to an approved site plan.

c. For the remaining number of dwelling units not provided with EVSE-Ready or EVSE-Capable spaces, plus for at least one additional off-street parking space beyond one per dwelling unit (if provided), EVSE-Planned spaces shall be designated in a site plan approved by the Planning Board for incremental development as EVSE-Capable and EVSE-Ready spaces as demand for such spaces requires.

4. Non-Residential Uses. Parking for uses requiring the provision of 10 or more new or additional off-street parking spaces shall include:

a. EVSE-Installed Level 2 spaces for a minimum of 2% of new or additional off-street parking spaces, with a minimum of two EVSE-Installed spaces.

b. For parking spaces dedicated for employee use, the requirement of 4.a. may be replaced by Low-power Level 2 EVSE-Ready charging spaces at a minimum of 5% of new or additional spaces.

c. For 20% (twenty percent) of the remaining number of new or additional parking spaces not provided with EVSE-Installed or EVSE-Ready spaces, EVSE-Planned spaces shall be designated in a site plan approved by the Planning Board for incremental development as demand for such spaces requires.

d. For existing (not "greenfield") non-residential developments, these requirements for EV charging may be replaced by a contribution to a common fund managed by the City of Lebanon for installing public EV charging stations at a separate site, with the contribution amount to be determined by the City.

5. Where the calculations above result in a fractional parking space, it shall round up to the next whole number.

6. Where the number of EVSE-Installed spaces provided exceeds the minimum required, the excess spaces shall be deducted from the total number of required EVSE-Ready spaces of a similar level (Low-power Level 2, or Level 2).

7. Where the number of EVSE-Ready spaces provided exceeds the minimum required, the excess EVSE-Ready spaces shall be deducted from the total number of required EVSE-Capable spaces of a similar level (Low-power Level 2, or Level 2).

8. Up to ten (10) Level 2 EVSE-Installed spaces may be substituted with one (1) Level 3 EV-Installed space.

9. EVSE-Installed spaces, EVSE-Ready spaces, and EVSE-Capable spaces are to be included in the calculation for both the number of minimum required and maximum permitted off-street parking spaces.

a. Every two (2) EVSE-Installed spaces provided in addition to the required minimum may be counted as four (4) off-street parking spaces as relates to Section 607.1 (Minimum Off-Street Parking Requirements), for reduction of total required parking not greater than 10 percent of the total amount of required parking.

10. In each instance where EVSE Capable is required, EVSE Ready or EVSE Installed may substitute. In each instance where EVSE Ready is required, EVSE Installed may substitute.

11. Devices such as intelligent load management systems and circuit splitters are permitted that may temporarily reduce EVSE electrical capacity for charging below the designated minimum power level.

Pages 188-189 and 193:

Appendix A – Definitions

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) / EV CHARGING STATION (EVCS): The apparatus installed specifically for the purpose of transferring energy between the site or building wiring and the Electric Vehicle. EVSE does not include any equipment affixed to the electric vehicle.

ELECTRIC VEHICLE INFRASTRUCTURE: Structures, machinery, and equipment necessary and integral to support an electric vehicle, including EV charging stations and electrical outlets.

ELECTRIC VEHICLE (EV): An automotive-type vehicle for on-road use primarily powered by an electric motor, including any battery electric vehicle, ~~fuel-cell electric vehicle~~, or plug-in hybrid electric vehicle, that draws current from an onboard battery charged through a building or site electrical service, EVSE, or other source of electric current.

EVSE-CAPABLE SPACE: An off-street parking space with electrical panel capacity and space for a branch circuit dedicated to the parking space that is not less than 20-ampere and 110/120-volt panel capacity for Level 1 charging, or 20-ampere and 208/240-volt for Low-Power Level 2 charging, or 40-ampere and 208/240-volt for Level 2 charging, and is equipped with raceways or conduit, both underground and surface mounted, to enable the future installation of EVSE. For two adjacent EV-capable spaces, a single branch circuit is permitted.

EVSE-PLANNED SPACE: An off-street parking space that is included in a plan reviewed and approved by the Planning Board for eventual build-out as an EVSE-Ready space pursuant to Site Plan Review Regulations.

EVSE-READY SPACE: An off-street parking space provided with a full dedicated branch circuit that includes not less than 20-ampere and 110/120-volt panel capacity for Level 1 charging, or 20-ampere and 208/240-volt panel capacity for Low-Power Level 2 charging, or 40-ampere and 208/240-volt panel capacity for Level 2 charging plus conduit, wiring, receptacle, and overprotection devices terminating in an outlet or receptacle or junction box that will support an installed EVSE or support attachment of a charge cord for the vehicle and which is located in close proximity to the location of the parking space. For two adjacent EV-Ready spaces, a single branch circuit is permitted. These spaces are “ready to go” as outlets for users who bring their own charging cords or with the addition of an installed EV charging station (EVCS).

EVSE-INSTALLED SPACE: An off-street parking space with a dedicated branch circuit and EVSE. ~~at minimum.~~

EVSE IN USE: For the purpose of determining when to trigger conversion of EVSE-Capable spaces to EVSE-Ready, charging spaces shall be considered “in use” based on the number of units with one or more residents at a multi-family housing development that have informed the owner or management they either are charging or would like to charge an EV at their residence parking.

LEVEL 1 (which is not mandated but is included here for informational purposes): Charging level for EVs that operates on a dedicated 20-amp breaker (same kind used for conventional electrical outlets in most buildings) on a 110- or 120-volt AC circuit while drawing 1.9-3.2 kW to supply approximately 2-5 miles of range gained per hour of charging.

LOW-POWER LEVEL 2: Charging level for EVs that operates on a dedicated 20-amp breaker (or two 20-amp outlets sharing a 40-amp breaker with some form of load management that limits total load on the circuit to 32 amps) on a 208- or 240-volt AC circuit while drawing 3.3-6.1 kW per 20 amps to supply approximately 10+ miles of range gained per hour of charging.

LEVEL 2: Charging level for EVs that operates on a dedicated 40- to 100-amp breaker (same kind used by a clothes dryer or stove) on a 208- or 240-volt AC circuit while drawing 6.2+ kW to supply 19+ miles of range gained per hour of charging.

LEVEL 3: Fast or rapid charging level for EVs that operates on a 100-amp or higher breaker on a 480-volt AC electric circuit or higher three-phase circuit with special grounding equipment and mounting on an equipment pad.

LOAD MANAGEMENT: A process for actively controlling the consumption of electricity to ensure power demand stays within the design limits of electrical infrastructure (e.g. devices, circuit wiring, breakers, panels, and transformers). A secondary purpose of load management may be to minimize the cost of such electricity demand and any needed capacity upgrades.

DRAFT PROPOSAL For Initial Site Plan Regulations:

Add under Section 5.1, Drawings and Other Submittals, subsection 4.e (Table Form Information) after existing subsection (5) concerning parking and renumber remaining subsections, or after the last sub-subsection (13):

(X) Number of any off-street parking spaces initially to be EVSE-Installed, EVSE-Ready, EVSE-Capable, and EVSE-Planned, as described in the City's Zoning Ordinance, respectively.

Also under Section 5.1, as part of or following subsection 21 (concerning construction details including parking):

XX. A plan showing which spaces are designated as EVSE-Installed, if any, EVSE-Ready, EVSE-Capable, and EVSE-Planned, as described in the City's Zoning Ordinance. The plan shall indicate where electrical circuit breaker panels will be provided initially, and in the future for EVSE-Planned spaces, whether generally within buildings or outdoors as shown on a site plan. The plan shall also indicate where conduit to serve such panels and spaces will initially be provided and where conduit capacity (such as shared with site lighting) and sleeves will initially be provided for EVSE-Planned spaces to avoid the future need to cut through solid walls and floor slabs or excavate under hard surfaces such as pavement, concrete, sidewalks, and curbs for eventual conversion of EVSE-Planned spaces to EVSE-Capable or EVSE-Ready spaces as future demand may require. The plan shall also include a description of planned triggers for such future upgrades and may include annual reporting to the Planning Department of the number of dwelling units, tenants, or residents using EV charging on site and the number of EVSE-Ready or EVSE-Installed spaces provided.

From: [Jon Livadas](#)
To: [Catheryn Hembree](#)
Subject: [EXTERNAL] Withdrawal
Date: Monday, December 1, 2025 4:09:21 PM

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

Hi Catheryn,

As discussed at the last planning board meeting and after LEAC agreed to withdraw their proposal I am officially withdrawing my proposal. This withdrawal is happening after LEAC agreed to reduce the requirement to 5% ready and 10% capable with some additional language for automatic conversion of other spaces.

Thank you,

Jon
302.598.3492

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

From: [Sherry Boschert](#)
To: [Catheryn Hembree](#)
Cc: [Henry Bromberg](#)
Subject: [EXTERNAL] LEAC rescinds its June 2025 proposed Zoning amendments
Date: Friday, December 19, 2025 11:28:18 AM

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

Hi Catheryn,

Yesterday LEAC passed a motion, and I'm notifying you as the Planning Department representative:

LEAC formally rescinds the proposed Zoning Ordinance amendments endorsed by LEAC on June 19, 2025, and instead LEAC supports the "compromise" proposed amendments to the Zoning Ordinance and the Site Plan Review regulations that were endorsed by LEAC on November 20, 2025 and endorsed by the Planning Board on December 8, 2025.

If you need me to send a copy of the "compromise" proposal, let me know.

Thanks,

Sherry Boschert
Lebanon Energy Advisory Committee
415-730-9797

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

December 3, 2025

Nathan Reichert
Director of Planning & Development
City of Lebanon
51 N. Park Street
Lebanon, NH 03766
nathan.reichert@lebanonnh.gov

RE: Revision to Zoning Ordinance Section 607.8 – Electric Vehicles

Mr. Reichert:

This is a second preliminary legal opinion as required by Section 1000.3(B)(2) of the Lebanon Zoning Ordinance concerning an amendment to Zoning Ordinance Section 607.8 – Electric Vehicles. In connection with opinion letters dated October 24 and October 27, respectively, I previously reviewed a citizen-petitioned amendment to Section 607.8 and an amendment to Section 607.8 developed by the Lebanon Energy Advisory Committee (LEAC).

I understand that the citizen petitioner and members of the LEAC EV subcommittee have since met to jointly work on a new combined draft amendment proposal for Section 607.8, and that LEAC endorsed this joint effort at their November 17, 2025 meeting. I am now providing a preliminary review of the joint effort draft attached to this letter.

The ZO requires this legal review to cover: (a) whether such amendment is 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 amendment can be administered and enforced.

With respect to the new proposed amendment to Section 607.8 of the Zoning Ordinance, my answer to the three questions in Section 1000.3.B(2) is “yes”. I discern no significant legal or administrative issues of concern with this proposed amendment.

Please do not hesitate to contact me with any questions or concerns about this opinion.

Sincerely,



Matthew C. Decker

Proposed amendments to the Lebanon Zoning Ordinance and Site Plan Regulations, drafted by the EV Subcommittee of the Lebanon Energy Advisory Committee (LEAC)

Proposed changes in red text were endorsed unanimously by LEAC on June 19, 2025. New proposed text in blue, was developed collaboratively by Sherry Boschert, Clifton Below, Jon Livadas, and the EV subcommittee of LEAC and was endorsed by the LEAC EV Subcommittee on November 13, 2025. The next LEAC meeting is not until November 20. Deletions from existing text are mostly not shown to simplify presentation.

Zoning Ordinance pages 136-137:

607.8 Electric Vehicles.

A. Purpose. The purpose of this section is to facilitate the transition to electric vehicle use and to expedite the establishment of convenient, cost-effective electric vehicle infrastructure that such a transition necessitates.

B. Applicability. EV charging stations are allowed as an accessory use in all zoning districts. When the retail charging of electric vehicles is proposed to be the principal use of a lot, then the proposed EV charging station shall be considered a service station for zoning purposes.

C. EV Infrastructure Requirements / Off-Street EV Parking Requirements. EVSE-installed spaces, EVSE-ready spaces, and EVSE-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) EVSE-Ready Low-power Level 2 charging space per dwelling unit.
2. All new dwellings with up to three units, including Accessory Dwelling Units (ADUs), shall provide at least one (1) EVSE-Ready Low-power Level 2 charging space per new dwelling unit.
3. Multi-Family Dwellings (four or more units; adding units to existing multi-family housing triggers the requirements for the new units only). Parking for new multi-family dwellings shall provide:
 - a. For each residential unit with parking, at least one EVSE-Ready Low-power Level 2 charging space per unit for 5% (five percent) of total units with parking.
 - b. EVSE-Capable Low-power Level 2 spaces for a minimum of 10% (ten percent) of residential units with parking. When 80% (eighty percent) of the EVSE-Ready spaces described in 3.a. are in use, the property owner shall

convert half or more of the EVSE-Capable spaces to EVSE-Ready; after that, when 80% (eighty percent) of total EVSE-Ready spaces are in use, additional EVSE-Capable or EVSE-Planned spaces shall be upgraded to EVSE-Ready or EVSE-Capable pursuant to an approved site plan.

c. For the remaining number of dwelling units not provided with EVSE-Ready or EVSE-Capable spaces, plus for at least one additional off-street parking space beyond one per dwelling unit (if provided), EVSE-Planned spaces shall be designated in a site plan approved by the Planning Board for incremental development as EVSE-Capable and EVSE-Ready spaces as demand for such spaces requires.

4. Non-Residential Uses. Parking for uses requiring the provision of 10 or more new or additional off-street parking spaces shall include:

a. EVSE-Installed Level 2 spaces for a minimum of 2% of new or additional off-street parking spaces, with a minimum of two EVSE-Installed spaces.

b. For parking spaces dedicated for employee use, the requirement of 4.a. may be replaced by Low-power Level 2 EVSE-Ready charging spaces at a minimum of 5% of new or additional spaces.

c. For 20% (twenty percent) of the remaining number of new or additional parking spaces not provided with EVSE-Installed or EVSE-Ready spaces, EVSE-Planned spaces shall be designated in a site plan approved by the Planning Board for incremental development as demand for such spaces requires.

d. For existing (not “greenfield”) non-residential developments, these requirements for EV charging may be replaced by a contribution to a common fund managed by the City of Lebanon for installing public EV charging stations at a separate site, with the contribution amount to be determined by the City.

5. Where the calculations above result in a fractional parking space, it shall round up to the next whole number.

6. Where the number of EVSE-Installed spaces provided exceeds the minimum required, the excess spaces shall be deducted from the total number of required EVSE-Ready spaces of a similar level (Low-power Level 2, or Level 2).

7. Where the number of EVSE-Ready spaces provided exceeds the minimum required, the excess EVSE-Ready spaces shall be deducted from the total number of required EVSE-Capable spaces of a similar level (Low-power Level 2, or Level 2).

8. Up to ten (10) Level 2 EVSE-Installed spaces may be substituted with one (1) Level 3 EV-Installed space.

9. EVSE-Installed spaces, EVSE-Ready spaces, and EVSE-Capable spaces are to be included in the calculation for both the number of minimum required and maximum permitted off-street parking spaces.

a. Every two (2) EVSE-Installed spaces provided in addition to the required minimum may be counted as four (4) off-street parking spaces as relates to Section 607.1 (Minimum Off-Street Parking Requirements), for reduction of total required parking not greater than 10 percent of the total amount of required parking.

10. In each instance where EVSE Capable is required, EVSE Ready or EVSE Installed may substitute. In each instance where EVSE Ready is required, EVSE Installed may substitute.

11. Devices such as intelligent load management systems and circuit splitters are permitted that may temporarily reduce EVSE electrical capacity for charging below the designated minimum power level.

Pages 188-189 and 193:

Appendix A – Definitions

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) / EV CHARGING STATION (EVCS): The apparatus installed specifically for the purpose of transferring energy between the site or building wiring and the Electric Vehicle. EVSE does not include any equipment affixed to the electric vehicle.

ELECTRIC VEHICLE INFRASTRUCTURE: Structures, machinery, and equipment necessary and integral to support an electric vehicle, including EV charging stations and electrical outlets.

ELECTRIC VEHICLE (EV): An automotive-type vehicle for on-road use primarily powered by an electric motor, including any battery electric vehicle, ~~fuel-cell electric vehicle~~, or plug-in hybrid electric vehicle, that draws current from an onboard battery charged through a building or site electrical service, EVSE, or other source of electric current.

EVSE-CAPABLE SPACE: An off-street parking space with electrical panel capacity and space for a branch circuit dedicated to the parking space that is not less than 20-ampere and 110/120-volt panel capacity for Level 1 charging, or 20-ampere and 208/240-volt for Low-Power Level 2 charging, or 40-ampere and 208/240-volt for Level 2 charging, and is equipped with raceways or conduit, both underground and surface mounted, to enable the future installation of EVSE. For two adjacent EV-capable spaces, a single branch circuit is permitted.

EVSE-PLANNED SPACE: An off-street parking space that is included in a plan reviewed and approved by the Planning Board for eventual build-out as an EVSE-Ready space pursuant to Site Plan Review Regulations.

EVSE-READY SPACE: An off-street parking space provided with a full dedicated branch circuit that includes not less than 20-ampere and 110/120-volt panel capacity for Level 1 charging, or 20-ampere and 208/240-volt panel capacity for Low-Power Level 2 charging, or 40-ampere and 208/240-volt panel capacity for Level 2 charging plus conduit, wiring, receptacle, and overprotection devices terminating in an outlet or receptacle or junction box that will support an installed EVSE or support attachment of a charge cord for the vehicle and which is located in close proximity to the location of the parking space. For two adjacent EV-Ready spaces, a single branch circuit is permitted. These spaces are “ready to go” as outlets for users who bring their own charging cords or with the addition of an installed EV charging station (EVCS).

EVSE-INSTALLED SPACE: An off-street parking space with a dedicated branch circuit and EVSE. ~~at minimum.~~

EVSE IN USE: For the purpose of determining when to trigger conversion of EVSE-Capable spaces to EVSE-Ready, charging spaces shall be considered “in use” based on the number of units with one or more residents at a multi-family housing development that have informed the owner or management they either are charging or would like to charge an EV at their residence parking.

LEVEL 1 (which is not mandated but is included here for informational purposes): Charging level for EVs that operates on a dedicated 20-amp breaker (same kind used for conventional electrical outlets in most buildings) on a 110- or 120-volt AC circuit while drawing 1.9-3.2 kW to supply approximately 2-5 miles of range gained per hour of charging.

LOW-POWER LEVEL 2: Charging level for EVs that operates on a dedicated 20-amp breaker (or two 20-amp outlets sharing a 40-amp breaker with some form of load management that limits total load on the circuit to 32 amps) on a 208- or 240-volt AC circuit while drawing 3.3-6.1 kW per 20 amps to supply approximately 10+ miles of range gained per hour of charging.

LEVEL 2: Charging level for EVs that operates on a dedicated 40- to 100-amp breaker (same kind used by a clothes dryer or stove) on a 208- or 240-volt AC circuit while drawing 6.2+ kW to supply 19+ miles of range gained per hour of charging.

LEVEL 3: Fast or rapid charging level for EVs that operates on a 100-amp or higher breaker on a 480-volt AC electric circuit or higher three-phase circuit with special grounding equipment and mounting on an equipment pad.

LOAD MANAGEMENT: A process for actively controlling the consumption of electricity to ensure power demand stays within the design limits of electrical infrastructure (e.g. devices, circuit wiring, breakers, panels, and transformers). A secondary purpose of load management may be to minimize the cost of such electricity demand and any needed capacity upgrades.



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Lebanon City Council

FROM: Planning and Development Department Staff

RE: 2025-2026 Petitioned Amendments 1 and 2

DATE: December 23, 2025

Attached is the record for Petitioned Amendments 1 and 2 at of 23 December 2025.

Section 1000.2 of the City of Lebanon Zoning Ordinance allows residents to bring forth Zoning Amendments. These amendments are required to go through the same process and follow the same schedule as the staff proposed amendments.

The petitioned amendments included in this packet include:

1. Petitioned Amendment 1: Rezoning of Parcels along Old Pine Tree Cemetery Rd from RL-2 to R-3. Representative: Daniel Nash, PE

Attachment 1: 19 September 2025

Attachment 2: 2 December 2025

Attachment 3: 10 December 2025

Attachment 4: 18 December 2025

Petitioned Amendment 1 has been revised by the applicant under a submission received by the Planning Office on 18 December 2025. (Attachment 4) The proposed amendment has evolved from its original submission in September (Attachment 1). The Amendment's evolution (Attachment 2, 3 and 4) is based up on ongoing discussions with the Land Use Boards and staff. The applicants' final revisions were received by staff on 22 December (Attached 4).

Attachment 4 was immediately forwarded to the City's Legal Counsel for review. This memo was written on 23 December. The Legal Counsel's opinion letter has not been received. With the Holidays the Legal Opinion letter may not be available by the time the January 7th City Council packet must be published. Planning staff is out until the New Year returning on January 5th.

Staff recommend that City Council at their January 7th 2026, meeting consider several options:

Option A: Immediately sends the initiative back to the Boards. (schedule follows)

Option B: Delay consideration of the Amendment until Fall 2026 for the 2026-27 cycle.

Option C: If Council wish not to act upon the idea of the Amendment, they can decline a public hearing and pass on the amendment.

Option A: Order Petitioned Amendment 1 - Attachment 4 back to the Boards and for a new Legal Opinion. The Boards can consider the amendment in due time and report back to City Council with recommendations. Further, City's Legal Counsel must create an opinion to accompany the Board's consideration. The proposed schedule would be as follows:

7 Jan 2026 – City Council orders the revised application to be sent for legal opinion and Board consideration.

14 Jan 2026 – Legal Opinion is Due.

19 Jan 2026 – Planning Board Consideration.

5 Feb 2026 – Zoning Board consideration.

12 Feb 2026 – Conservation Commission's consideration

4 March 2026 – City Council orders Public Hearing

18 March 2026 – City Council Public Hearing

Please note that if the application is determined to trigger a Referendum, then it will be delayed until the March 2027 ballot.

2. Petitioned Amendment 2: Rezone parcel 26-2 on Etna Road from IND-L and RL-3 to GC-1. Representative: Daniel Nash, PE

Conflict:

Petitioned Amendment 2 is in direct conflict with Amendment 6. Both Amendments concern the same parcel and its potential zoning. There are two versions of the Petitioned Amendment 2. Attachment 5 was received in September. Attachment 6 was received on 18 December. Legal Counsel and the Land Use Boards considered only Attachment 5.

Versions:

Petitioned Amendment 2 – Attachment 5 received in September contemplates rezoning the entirety of 67 – 69 Etna Road Plat 26 Lot 2 from Dual Zoned IND-L and RL-3 to All GC-1.

Petitioned Amendment 2 – Attachment 6 received 18 Dec 2026 contemplated rezoning only the IND-L portion of 67-69 Etna Road Plat 26 Lot 2 to GC-1.

Again, City Council is at a point of Decision.

Option 1: Consider Petitioned Amendment 2 - Attachment 5 in concert with Amendment 6. If Amendment 6 is preferable, then Petitioned Amendment 2 – Attachment 5 requires Council not vote to hold a public hearing and Amendment 6 be ordered for Public Hearing on February 4th 2026.

Option 2: Consider Petitioned Amendment 2 – Attachment 5 in concert with Amendment 6. If Petitioned Amendment 2 – Attachment 5 is preferable, then Amendment 6 requires Council not vote to hold a public hearing and Petitioned Amendment 2 – Attachment 5 should be ordered for Public Hearing on February 4th 2026.

Option 3: Order both Petitioned Amendment 2 – Attachment 5 and Amendment 6 for public hearing on February 4th 2026 and vote for or against each at the conclusion of the public hearings.

Option 4: If Petitioned Amendment 2 – Attachment 6 is preferable, then Council should order it back to the Boards and for revised Legal Opinion pursuant to the following schedule:

7 Jan 2026 – City Council orders the revised application to be sent for legal opinion and Board consideration.

14 Jan 2026 – Legal Opinion is Due.

19 Jan 2026 – Planning Board Consideration.

5 Feb 2026 – Zoning Board consideration.

12 Feb 2026 – Conservation Commission's consideration

4 March 2026 – City Council orders Public Hearing

18 March 2026 – City Council Public Hearing

Staff propose that the Petitioned Amendments 1 and 2 group public hearing be held by Council at the February 4, 2026, City Council Meeting.

Petition Amendment 1: Attachment 1



18 September 2025

Honorable Mayor and City Council
City of Lebanon
51 North Park Street
Lebanon, NH 03766

Re: Request for Zoning Map Change

Dear Mayor and Councilors:

On behalf of Rock Ridge Lebanon, LLC, this letter is being written to request a change to the city zoning map to be part of the city's annual zoning review.

Request #1. Rezone parcels along Old Pine Tree Cemetery Road to R-3 (see attached "OPTCR").

The parcels involved include 117-17, 74-1-100, 74-1-200, and numerous Rock Ridge parcels. These parcels are adjacent to the existing R-3 zoned parcels at the westerly end of OPTCR. This request seeks to extend the R-3 zone approximately 4,000' easterly to the southerly property line of Rock Ridge. The parcels proposed for re-zoning are currently zoned RL-2.

The current RL-2 zoning allows for 1Ac lots. The proposed R-3 zoning allows 0.25Ac lots. By placing the zone line 500' from OPTCR an additional 200 homes could be allowed. Under the Rock Ridge subdivision approval and the Homeowners Association documents, only 148 units can be built on the site, if zoning allows. This constraint ensures the city that an excessive amount of homes will not be built. However, this proposal fills the need for this type of housing that is missing and desperately needed to retain workers.

Changing the zoning for these parcels would allow for more single family homes and not cause the potential for harmful impacts from development.

Please let me know if you have any questions regarding this request.

Sincerely,

Daniel A. Nash, PE
Principal

Attachments:

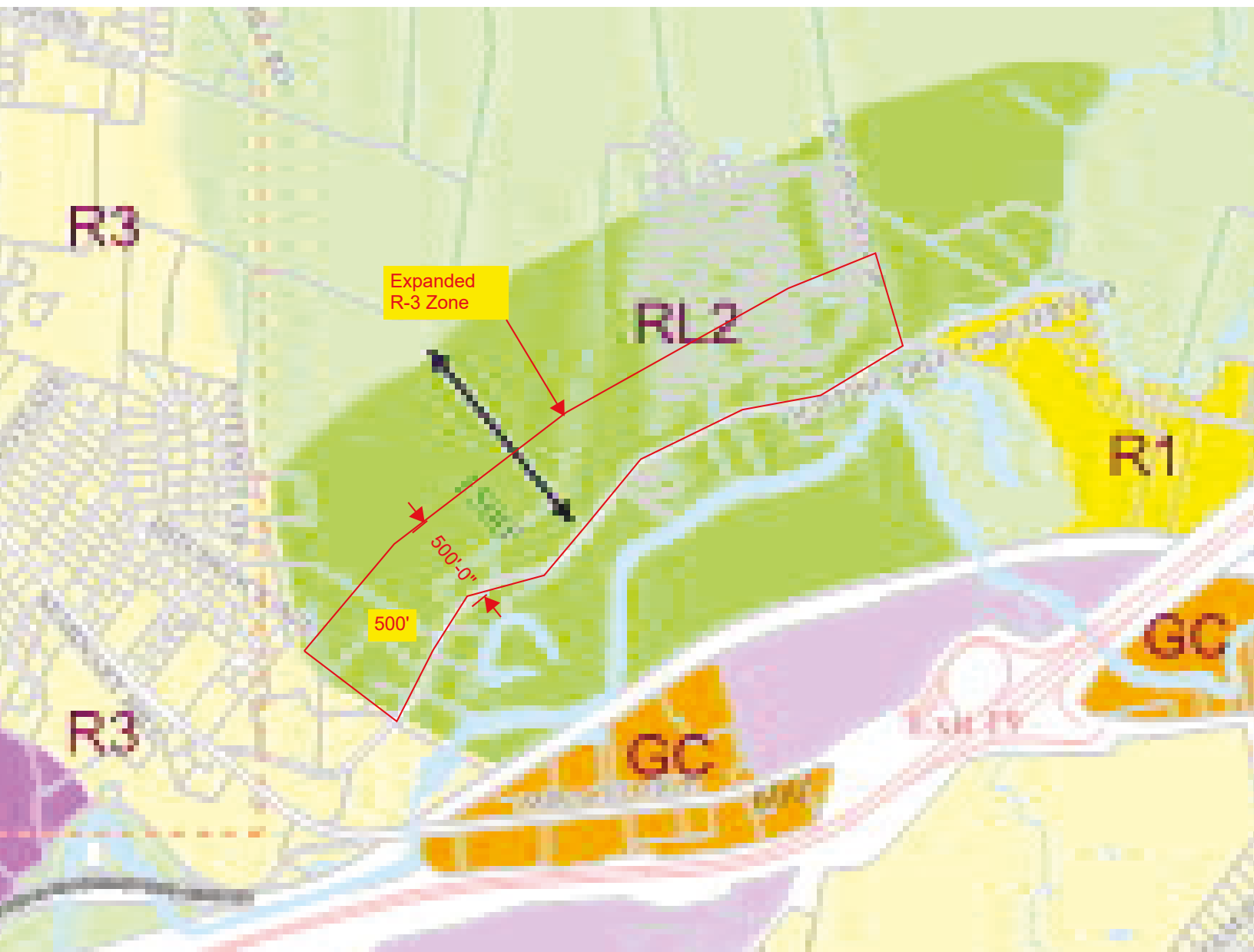


City Council
Request for Zoning Change
18Sep2025

-OPTCR
-R-3
-RL-1, 2, &3

CC: Don Hirst

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SECTION 310 RESIDENTIAL THREE DISTRICT (R-3).

310.1 Purpose.

The purpose of the R-3 District is to provide areas primarily for single family residential neighborhoods.

310.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
<u>Residential</u> 1. One-family dwelling 2. Accessory dwelling unit (ADU) per Section 610	<u>Residential</u> 1. Two-family dwelling by conversion of existing one-family dwelling 2. Senior housing complex
<u>Commercial/Non-Residential</u> 3. Home business per Section 600 4. Home-based agricultural business per Section 600B.2 (lots 5 acres or more) and per Section 600B.3 (lots greater than 10 acres) 5. Home-based agricultural business per Section 600B.3.A (5–10 acre lots) 6. Home-based agricultural business per Section 600B.3.B (10+ acre lots) 7. Hospital 8. House of worship 9. Public education facility 10. Public recreation facility 11. Public safety facility 12. Renewable energy system per Section 612	<u>Commercial/Non-Residential</u> 3. Cemetery 4. Essential service 5. Group day care facility per Section 604 6. Home-based agricultural business per Section 600B.2 (lots less than 5 acres) 7. Nursing home
	<u>Uses by Conditional Use Permit</u> (see Section 302.4)
<u>Planned Developments</u> 13. PURD per Section 501	<u>Residential</u> 1. Cottage development per Section 509

310.3 Table of Area, Dimensions and Coverage.

Minimum Lot Size

Class	Area	Width	Maximum Height
1	10,000 sq.ft.	75'	35'
2	15,000 sq.ft.	75'	35'
3	40,000 sq.ft.	100'	35'

Minimum Yard

Class	Front	Side	Rear	Max. <i>Building Coverage</i>
1	20'	15'	20'	25%
2	20'	15'	20'	20%
3	25'	25'	30'	15%

310.4 Dwelling Unit Density.

For ***senior housing complexes*** and PURDs per Section 501.2 (“Planned Unit Residential Development (PURD)”), one (1) ***dwelling unit*** is permitted per each 10,000 sq. ft. of lot area. Density for ***senior housing complexes*** may be increased per Section 603 (“Senior Housing Complexes”).

SECTION 312 RURAL LANDS ONE DISTRICT (RL-1).

312.1 Purpose. The purpose of the RL-1 District is to provide areas of transition between the denser urban neighborhoods of the R Districts and the more sparsely settled and/or more environmentally sensitive RL-2 and RL-3 areas.

312.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
<u>Residential</u> One-family dwelling Accessory dwelling unit (ADU) per Section 610	<u>Commercial/Non-Residential</u> Care and treatment of animals - Cemetery Essential service Group day care facility per Section 604 Home-based contractor's yard per Section 600A - Radio or TV tower or other communication equipment - Recreational camping park per Section 505 Recreational facility, indoor Recreational facility, outdoor
<u>Commercial/Non-Residential</u> Agriculture Home business per Section 600 - House of worship - Public education facility Public recreation facility Renewable energy system per Section 612	
<u>Planned Developments</u> Manufactured housing park per Section 503 Manufactured housing PURD per Section 504 - PRec per Section 501 - PURD per Section 501	

312.3 Table of Area, Dimensions and Coverage.

Minimum Lot Requirements						Maximum Limitations	
Class	Lot Area	Lot Frontage	Front Yard	Side Yard	Rear Yard	Height	Building Coverage
1 or 2	1 acre	150'	40'	25'	30'	35'	15%
3	3 acres (*)	150'	40'	25'	30'	35'	15%

*The minimum lot size may be reduced to an area not smaller than one (1) acres by application of the High Intensity Soils Mapping Standards (i.e. **HIS**) of Appendix B.

SECTION 313 RURAL LANDS TWO DISTRICT (RL-2).

313.1 Purpose.

The purpose of the RL-2 District is to provide land for low density, rural living.

313.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
<u>Residential</u> One-family dwelling Accessory dwelling unit (ADU) per Section 610 <u>Commercial/Non-Residential</u> Agriculture Home business per Section 600 - House of worship Public recreation facility Renewable energy system per Section 612 <u>Planned Developments</u> Manufactured housing park per Section 503 Manufactured housing PURD per Section 504 - PRec per Section 501 - PURD per Section 501	<u>Commercial/Non-Residential</u> Care and treatment of animals - Cemetery Essential service Group day care facility per Section 604 Home-based contractor's yard per Section 600A Produce stand - Radio or TV tower or other communication equipment - Recreational camping park per Section 505 Recreational facility, indoor Recreational facility, outdoor Excavation of natural earth materials per Section 606

313.3 Table of Area, Dimensions and Coverage.

Minimum Lot Requirements						Maximum Limitations	
Class	Lot Area	Lot Frontage	Front Yard	Side Yard	Rear Yard	Height	Building Coverage
1 or 2	1 acre	150'	40'	20'	25'	35'	20%
3	3 acres (*)	200'	40'	35'	30'	35'	10%

*The minimum lot size may be reduced to an area not smaller than one (1) acres by application of the High Intensity Soils Mapping Standards (i.e. **HIS**) of Appendix B.

SECTION 314 RURAL LANDS THREE DISTRICT (RL-3).

314.1 Purpose.

These are areas of the City within which development should be restricted until it has been further studied and detailed plans developed. These are critical areas where slopes of over twenty-five percent (25%) may be found, **wetlands** and a seasonably high water-table exist or have poor highway access to the rest of the community. These areas almost uniformly have severe restrictions for on-site disposal of sewage and any extensive development, including **driveways**, may present problems in grades and control of erosion. The primary use of these areas should be for forestry with only limited development for single family residential purposes on large lots.

314.2 Table of Uses.

<u>Permitted Uses</u>	<u>Special Exception Uses</u> (see Section 801.3)
<u>Residential</u> 1. Accessory use to any one-family dwelling <u>Commercial/Non-Residential</u> 2. Agriculture 3. Home business per Section 600 4. Public recreation facility 5. Renewable energy system per Section 612 <u>Planned Developments</u> 6. PRec per Section 501 7. PURD per Section 501	<u>Residential</u> 1. One-family dwelling 2. Accessory dwelling unit (ADU) per Section 610 <u>Commercial/Non-Residential</u> 3. Cemetery 4. Essential service 5. Home-based contractor's yard per Section 600A 6. Radio or TV tower or other communication equipment 7. Recreational camping park per Section 505 8. Recreational facility, indoor 9. Recreational facility, outdoor

314.3 Table of Area, Dimensions and Coverage.

Minimum Lot Requirements				Maximum Limitations	
Lot Area	Front Yard	Side Yard	Rear Yard	Height	Building Coverage
10 acres	50'	50'	50'	35'	1%

Petition for Zoning Changes along Old Pine Tree Cemetery Road

(Old Pine Tree Cemetery Road)

18 September 2025

Members of the Lebanon City Council,

As voters of the City of Lebanon, we petition you to make changes to the zoning map.

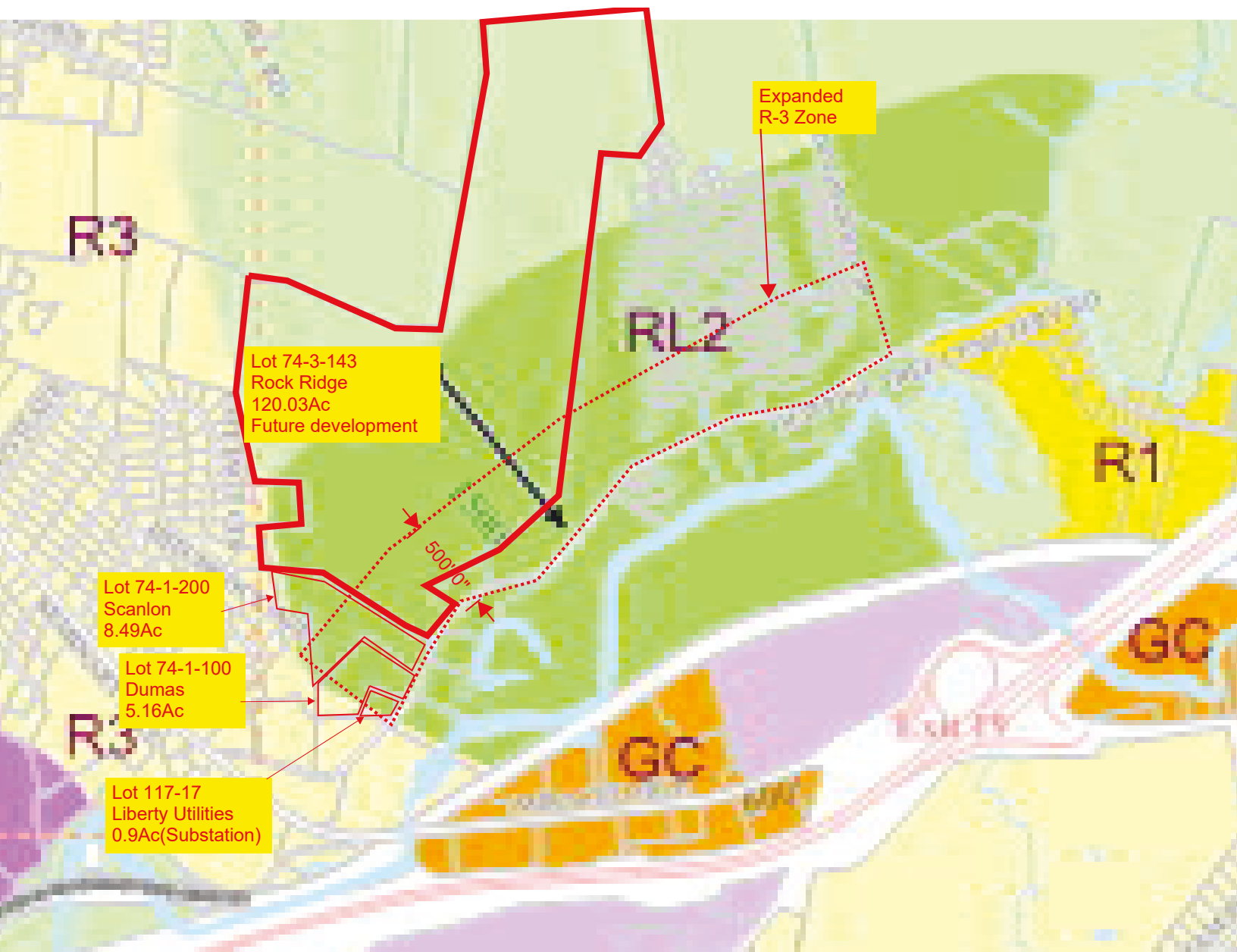
-Our request is under the provisions of the Zoning Ordinance, Section 1002.2.C..

-Our requests are outlined in AGD letter to the City Council dated 18Sep25

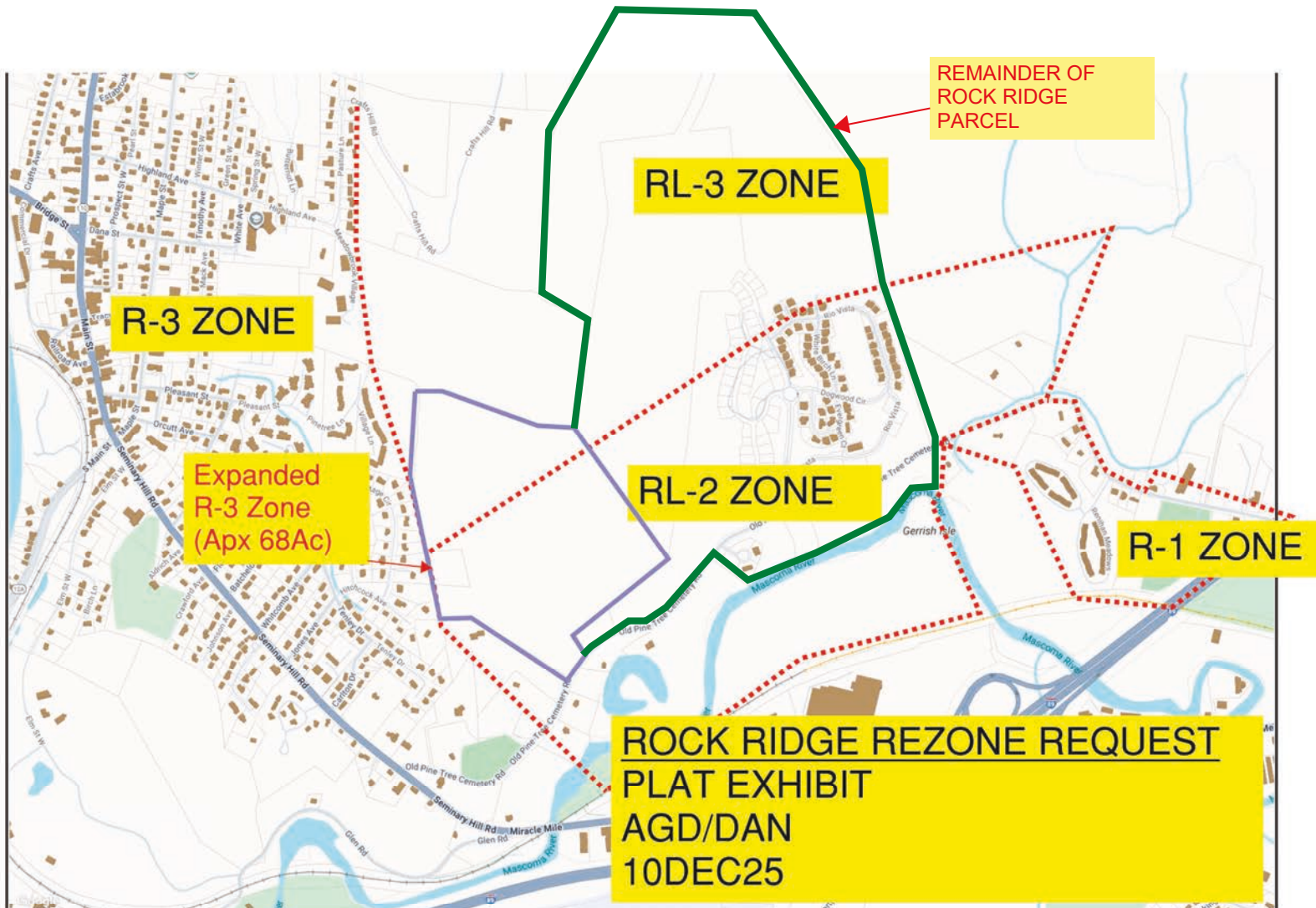
We, the voters, call on the City of Lebanon to make these changes to allow for more single family homes to be built on these properties.

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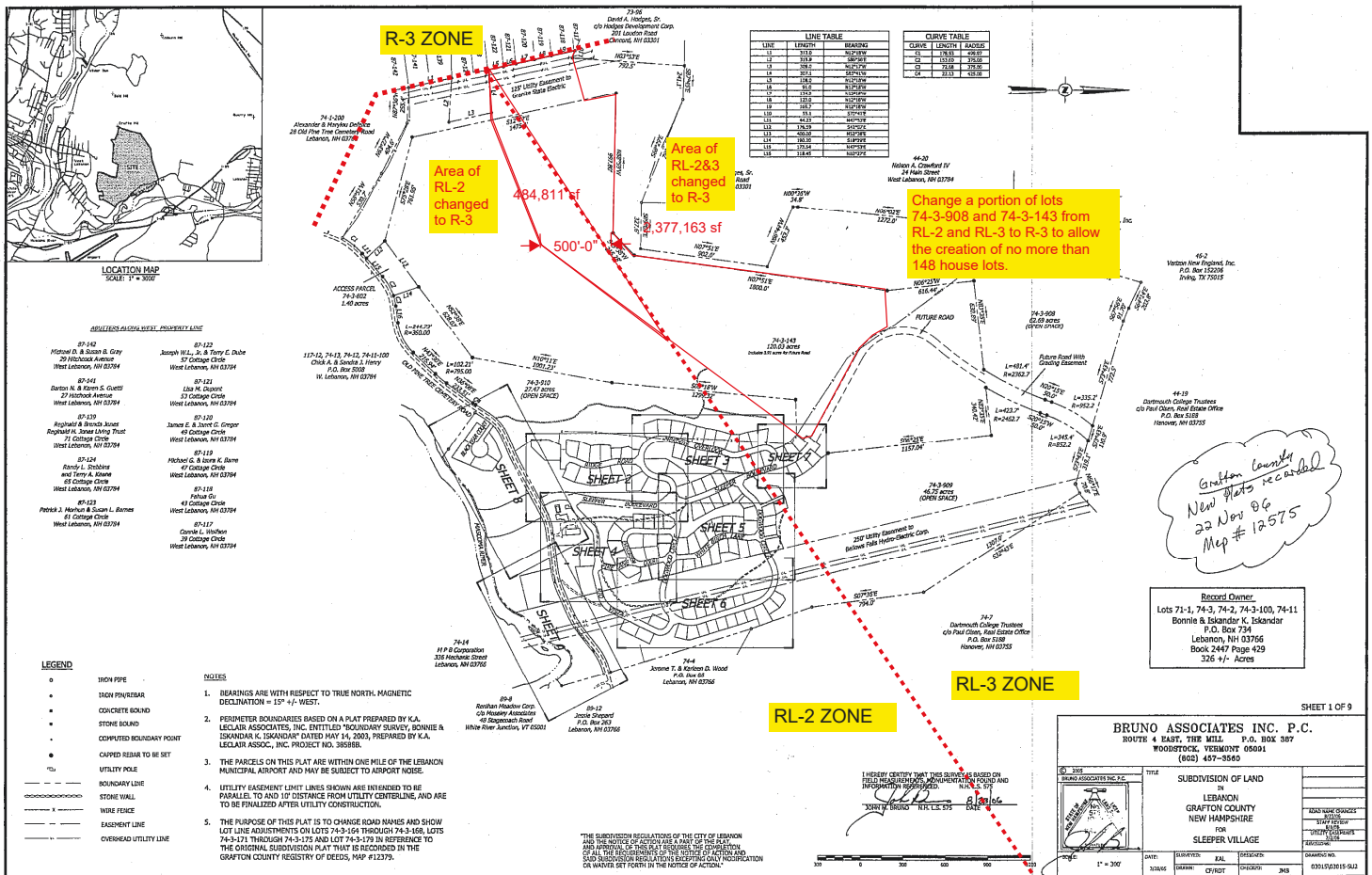
Petitioned Amendment 1: Attachment 2



Petitioned Amendment 1: Attachment 3



Petitioned Amendment 1: Attachment 4



Petitioned Amendment 2: Attachment 1



30 October 2024

Honorable Mayor and City Council
City of Lebanon
51 North Park Street
Lebanon, NH 03766

Re: Request for Zoning Change

Dear Mayor and Councilors:

On behalf of ICV of NH, LLC, this letter is being written to request a zoning change to be part of the city's annual zoning review.

Request #1. Rezone parcel 26-2 on Etna Road to GC-1 (see attached "Lot 26-2").

Parcel 26-2 is a large, mixed use industrial parcel. It currently has an office building and an a multi-family building on it. The parcel is unsuitable for typical industrial building as it is steep and boulder. The land could support one or two more multi-family structures, if re-zoned.

This parcel is in between the other parcels being considered for change to GC-1. It has the same characteristics as those parcels and could provide similar benefit to the city. Making this change fits with those properties. I believe this parcel was overlooked in the study process and should be included for consideration for a zone change.

Establishing this proper zoning to this parcel would be just, appropriate, and not cause the potential for harmful impacts from development.

Please let me know if you have any questions regarding this request.

Sincerely,

Daniel A. Nash, PE
Principal



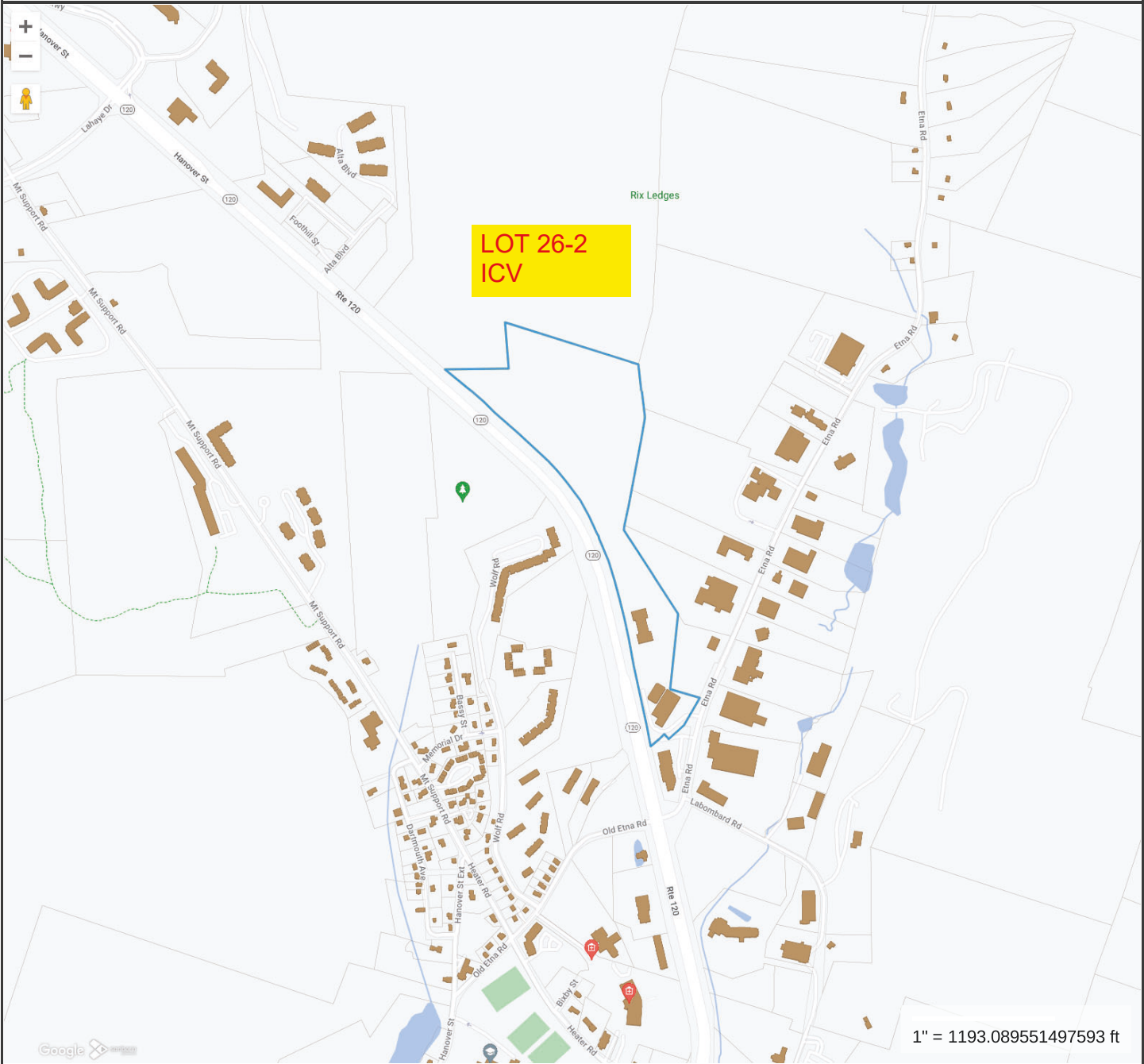
City Council
Request for Zoning Change
30Oct2024

Attachments:

- Lot 26-2
- North Lebanon zone change map
- signed petition

CC: Robert Sprayregen, ICV

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Property Information

Property ID 26-2
Location 67 ETNA RD
Owner ICV HOLDINGS OF NH LLC



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Lebanon, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 07/15/2024
Data updated 11/18/2018

Print map scale is approximate.
Critical layout or measurement activities should not be done using this resource.

The Pattern Zones Study includes three primary areas of focus:

1. Creation of a Pattern Zones Overlay District to promote infill housing development within the study area.
2. A Preapproved Architecturally Designed Pattern Book, consisting of 15-25 house designs that can be accessed free of charge to those seeking to build a new house in the study area. The Pattern Book will be contracted for three years with Pattern Zones Co. and will be accessible online. The final stages of its approval are currently under development.
3. A sensitivity analysis, provided at the City Council meeting in September, analyzed housing market trends, zoning codes and the current neighborhood configuration to match housing opportunity with regulatory structure. The Zoning recommendations are based upon the sensitivity analysis.

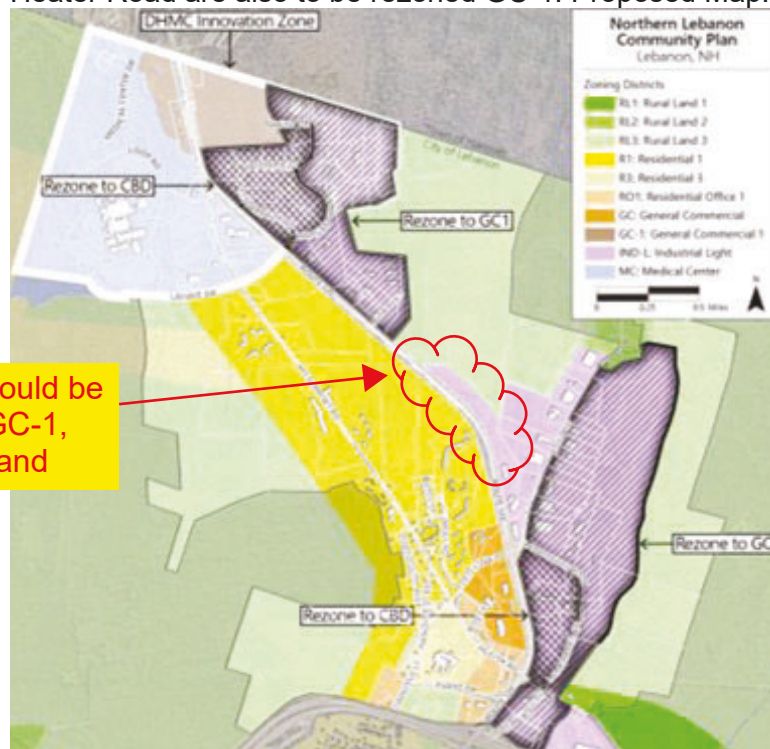
B. 120 – North Lebanon Study

The 120 North Lebanon Study was initiated in January 2024 and concluded with a presentation to City Council in September 2024. The study included substantial public engagement with the people that live and work in the Northern Lebanon neighborhood. The study makes a series of recommendations within three categories: Conservation, Zoning, and City amenities including transportation improvements. Specific recommendations include the creation of a wildlife crossing and land use-based protections for the crossing, and the re-zoning of the area to maximize development in line with the current and future needs of the neighborhood.

1. Zoning Map changes.

- a. The changes proposed within the study area are to rezone the areas around Centerra business park to Central Business District (CBD).
- b. The Altaria developments and surrounding areas are to be rezoned as General Commercial One (GC-1).
- c. The areas along Etna Road, Labombard Road, Heater Road and Little Heater Road are also to be rezoned GC-1. Proposed Map:

ICV land that should be considered for GC-1, as other IND-L land



Petition for Zoning Change to LD zone

(Mechanic Street)

21 October 2024

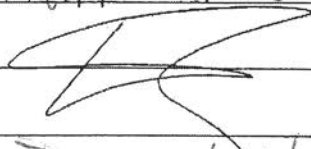
Members of the Lebanon City Council,

As voters of the City of Lebanon, we petition you to make changes to the zoning ordinance.

-Our request is under the provisions of the Zoning Ordinance, Section 1002.2.C..

-Our requests are outlined in AGD letter to the City Council dated 21Oct24

We, the voters, call on the City of Lebanon to make these changes to establish fair and just zoning for this property.

Name of Resident	Signature of Resident	Address and Phone	Date Signed
Daynel Parri's	Daynel Parri's	200 Maccoma St 603-378-6543	10/30
Jennifer Labrie	Jennifer Labrie	8 Forster Street 603-252-5149	10/30
Brenna Labrie	Brenna Labrie	603-790-3165	10/30
	Robert Oakes	603-443-0492	10/30
Daniel Nash	Daniel Nash	603-448-6023	30 Oct 24

Petitioned Amendment 2: Attachment 2



22 December 2025

Honorable Mayor and City Council
City of Lebanon
51 North Park Street
Lebanon, NH 03766

Re: Additional Support for Petitioned Amendment #2, Lot 26-2

Dear Mayor and Councilors:

Amendment #2. This amendment requests the city rezone a portion of parcel 26-2 on Etna Road to GC-1 (see attached "Lot 26-2"). There may have been some confusion in the initial request and review. The initial review considered the request as one for the entire parcel, when in actuality, it was only a portion of the parcel designated IND-L to be changed to GC-1. (see attached sketch)

Parcel 26-2 is a large, mixed use industrial parcel. It currently has an office building and a multi-family building on it. The parcel is unsuitable for typical industrial building as it is steep and bouldery. The land could support one to three more multi-family structures, if re-zoned. A concept sketch is attached.

We request the zone change to allow for more multi-family buildings to be constructed. We request the change for the following reasons:

- The whole purpose of the lengthy and involved North Lebanon Zoning project was to find means to fit in additional housing for the community. This land is well suited to provide housing, as exists in the Treetops Condominium on this parcel.
- The parcel has water, sewer, power, and communications. It is also adjacent to employment centers that desperately need the housing. It would be a shame to convert such valuable land to conservation.
- The IND-L portion of Lot 26-2 could support 3 more buildings of 125 units each. See Future concept plan.
- This zone change meets the city's intent and purpose to create more housing. (argument against spot zoning).
- Placing housing units here decreases the commuting traffic demand for I-89 and Exit 18.
- As the city struggles with tax increases, one of the best ways to keep increases small, is to grow the grand list. ICV units have historically been of high value and add much to the grand list.

In summary, we respectfully request that the noted portion of ICV Lot 26-2 be re-zoned to GC-1, as indicated.

City Council
Additional Support for Zoning Amendment Request #2
22Dec2025

Please let me know if you have any questions regarding this request.

Sincerely,

Daniel A. Nash, PE
Principal

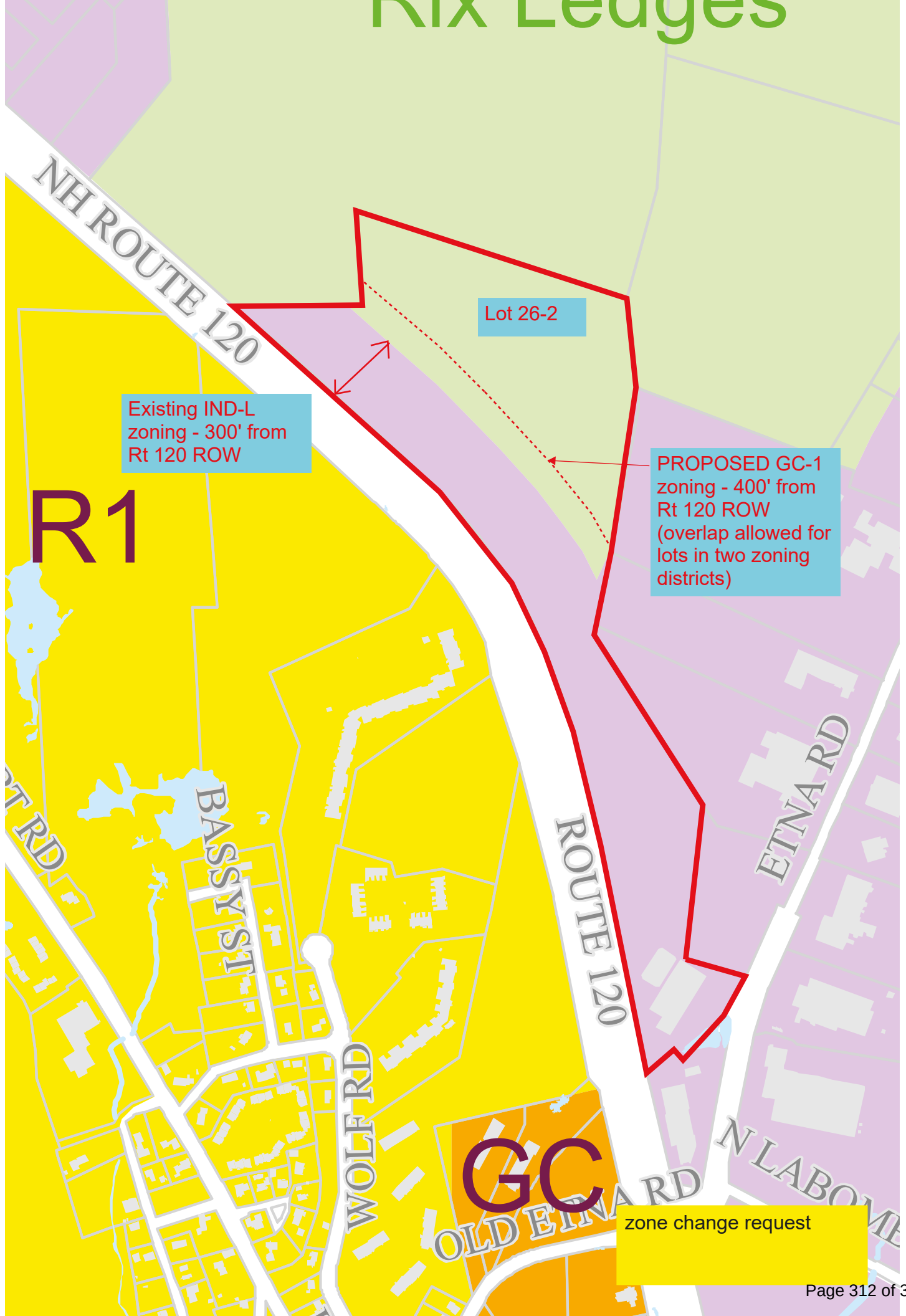


Attachments:

- Zone change request sketch
- Future Concept Plan

CC: Nathan Reichert, Director of Planning and Zoning
Robert Sprayregen, ICV

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CONCEPT SITE PLAN FOR ICV PHASE III IN LEBANON, NEW HAMPSHIRE	
ADVANCED GEOMETRICS & DESIGN 118 BANK STREET - PO BOX 512 LEBANON, NEW HAMPSHIRE 03666 PHONE: (603) 448-6295 FAX: (603) 448-8531 E-MAIL: info@advancedgeometrics.com	
DRAFTED: GSE DESIGNED: DMS DRAWN: RP CHECKED: DMS DATE: 12/22/2025	ICV PHASE III CONCEPT SITE PLAN C-1
2025 ADVANCED GEOMETRICS & DESIGN (DWG: 26000-26000-AL-1)	



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Honorable Mayor and Lebanon City Council

FROM: Planning and Development Department Staff

RE: 2025-2026 Petitioned Amendment 3: IND-L Use Table Addition

DATE: December 23, 2025

On September 22, 2025, Petitioner Chip Brown submitted a letter requesting consideration of a proposed zoning amendment. The City of Lebanon Zoning Ordinance, Section 1000.2, allows petitioned amendments to be submitted and the Council determines whether to schedule the amendment for review and hearing pursuant to Section 1000.3. The petitioned amendments are required to go through the same process and follow the same schedule as the staff proposed amendments. Staff proposes Council hold a public hearing for this petitioned amendment at their February 4, 2026 meeting.

This petitioned amendment is asking to add the use of ***Vehicular Repair*** to the IND-L use table, Section 303.2, under permitted uses. The definition of vehicular repair exists in Appendix A "Definitions":

VEHICULAR REPAIR: *The repair or maintenance of motor vehicles, motorcycles, recreational vehicles, manufactured homes, boats, heavy equipment and farm machinery. No retail sale of gasoline or oil is permitted.*

Currently, vehicular repair is allowed in the General Commercial District.

Approval Procedure:

As drafted, the proposed Council Amendments will not alter the zoning district designations or alter the Table of Uses or the Table of Area, Dimensions, and Coverage for a Residential or Rural Lands zoning districts within the City. As a result, no referendum vote is required for the proposed Council Amendments pursuant to Section 1000.4.A

Adoption of the proposed Council Amendments is recommended at this time in accordance with the procedures outlined in Section 1000.4.B as follows:

Article X, 1000.4 Action Upon Proposed Zoning Amendments.

Any proposed zoning amendment shall be acted upon and adopted or rejected as follows:

B. Action by the Council: The Council shall act on any proposed Zoning amendment not requiring a referendum vote in which case adoption of the Zoning Amendment shall require a majority vote of five members of the City Council: or alternatively, the Council may decide that such an amendment shall be submitted to the voters at the annual City election, even though such a referendum is not required.

Included in this packet:

1. Change of Light Industrial District Use Table: Addition of "Vehicular Repair" to IND-L.
Representative: Chip Brown
2. Legal Opinion Letter: Petitioned Amendments

August 21 2025
To Lebanon City Council;

I would like to ask that the City of Lebanon consider **adding “Vehicular Repair” as an allowed use within the City’s Light Industrial zone.**

Currently, the only zone that currently allows Vehicular Repair is in the General Commercial (GC) Zone. GC zoning is generically supportive of retail focused businesses that require high traffic count and visibility, and historically has supported small auto repair shops as found on Mechanic Street. However, as I have discovered in a current engagement by Key Collision (division of Key Auto), the size and nature of most GC lots are not that appropriate for larger autobody repair shops, which don’t need/want high visibility, need to be fenced for insurance and security and frequently need 3-4 acres of land, which support a large shop and significant parking.

Currently, the Light Industrial Zone permits:

- 1) Vehicular sales (with Conditional Use Permit), however NOT Vehicular Repair, despite the nature of this business being more aligned with manufacturing and industry.
- 2) Equipment and Machinery (tractors, lifts, etc) sales, rental and service. These businesses are similar in nature to larger vehicular repair/autobody shops. They do not fit well in high traffic retail locations.

Given the purpose of the IND-L zone (see below) and the nature of the vehicular repair autobody shop business, it is my petition that this use should be allowed in the Light Industrial zone.

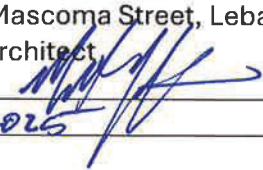
*303.1 Purpose. The purpose of the IND-L District is to provide land in appropriate locations for the establishment of manufacturing plants and other businesses of a similar nature, which improve employment opportunities and strengthen the economic base of the city. Such activities should not adversely 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.*

This zoning change is supported by the following Lebanon residents:

Name: Tim Olsen

Address: 45 Mascoma Street, Lebanon, NH

Profession: Architect

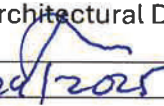
Signature 

Date 8/24/2025

Name: Matt Giffin

Address: 5 Hillside Drive

Profession: Architectural Designer

Signature 

Date 8/24/2025

Sincerely

Chip Brown

BCR

chip@brownocr.com

October 24, 2025

Nathan Reichert
Director of Planning & Development
City of Lebanon
51 N. Park Street
Lebanon, NH 03766
nathan.reichert@lebanonnh.gov

RE: Four 2025-2026 Petitioned Zoning Amendments

Mr. Reichert:

This is a preliminary legal opinion as required by Section 1000.3(B)(2) of the Lebanon Zoning Ordinance concerning four petitioned amendments to the zoning map or the text of the zoning ordinance. I have reviewed a staff memorandum packet dated September 22, 2025 which includes the materials submitted in support of the four petitioned amendments.

The four petitioned amendments I have reviewed are as follow:

- **Petitioned Amendment 1:** Map Amendment: Rezoning of Parcels along Old Pine Tree Cemetery Road from RL-2 to R-3.
- **Petitioned Amendment 2:** Map Amendment: Rezone parcel 26-2 on Route 120, accessed via Etna Road, from IND-L and RL-3 to GC-1, in connection with an anticipated re-zoning to GC-1 of other nearby parcels to the north along Route 120 and to the south along the east side of Etna Road.
- **Petitioned Amendment 3:** Change of IND-L use table to add “vehicular repair” as a permitted use.
- **Petitioned Amendment 4:** Amendment to Electric Vehicle Ordinance, Section 607.8.

The ZO requires this legal review to cover: (a) whether such amendment is 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 amendment can be administered and enforced.

With respect to the four petitioned amendments described above, my answer to the three questions in Section 1000.3.B(2) is “yes” and, with the exception of my comments below concerning the possibility of spot zoning, I discern no significant legal or administrative issues of concern with this proposed amendment.

1. Proposed Zoning Map Change, 67 Etna Rd., Parcel 26-2:

This proposal would affect one lot consisting of approx. 37 acres, currently split-zoned between the IND-L and RL-3 districts. The property owner appears to have asked for the entire lot to be re-zoned to GC-1 (although the owner may have only intended that the current IND-L area be re-zoned to GC-1, leaving the RL-3 area unchanged).

It is of course within the City's authority to change its zoning map and to change the zoning district designation of land. A hallmark of zoning is that regulation is by district and not by individual lots, so whenever a proposed change would affect a relatively limited area, it is important to consider whether that change meets the legal standard for zoning.

A change to a zoning map may be problematic "spot zoning" if it is singled out for treatment different from that of surrounding land which cannot be justified on the basis of health, safety, morals, or general welfare of the community and if the change is not in accordance with a comprehensive plan. See Miller v. Town of Tilton, 139 N.H. 429 (1995). The mere fact that an area is small, is rezoned at the request of a single owner, and is of greater benefit to that owner than to others does **not** necessarily constitute spot zoning if there is a public need for it or a compelling reason for it. Id.

In considering whether rezoning constitutes spot zoning, courts may consider whether the change is made in response to some public need. See Shadlick v. Concord, 108 N.H. 319 (1967) (zoning change was made in response to growing need for multi-family housing which already existed in proximity to the rezoned area, and thus was part of a comprehensive plan rather than spot zoning). Also relevant is whether there are sufficient opportunities for the targeted use elsewhere in the community, particularly if those other areas aren't being used. See Bosse v. Portsmouth, 107 N.H. 523 (1967) (rezoning of one parcel for industrial use when it was surrounded by residential uses was spot zoning because many other areas in the city were available for industrial use but weren't being used that way). The common thread in the case law is that a court will consider whether there is a reason or combination of reasons for the change that is in the public interest and consistent with the community's development goals.

In this case, while only one lot is referenced, I see from the petitioner's cover letter an intent that the lot "should be included for consideration for a zone change" in connection with other nearby lots "being considered for change to GC-1". Therefore, to avoid a spot zoning concern, this amendment should be reviewed and considered in connection with the other referenced changes, and not as a stand-alone amendment. (I also note that the desire to re-zone all or part of this lot to GC-1 is in conflict with the amendment #6 being put forward by the City, which would re-zone the northern half of the IND-L section of this lot to RL-3 while the southern portion remains IND-L.)

2. Proposed Amendment to Electric Vehicle Ordinance, Section 607.8:

The proposed amendment appears to request deletion of 607.8 (C) parts 1-3 and 5-8, but not part 4. I do not see a function or purpose for part 4 left standing alone, and if this amendment is implemented, I would recommend the deletion of part 4 along with the rest of part (C).

October 24, 2025
Page 3

Please do not hesitate to contact me with any questions or concerns about this opinion.

Sincerely,

A handwritten signature in blue ink that reads "Matthew C. Decker". The signature is written in a cursive style with a clear, legible font.

Matthew C. Decker

36 Oak Ridge Road
West Lebanon, NH 03784

December 22, 2025

Lebanon City Council
51 North Park Street
Lebanon, NH 03766

Dear City Councilors,

I am writing to urge your vote against the proposed map amendments (5, 7, and 8) that will upzone Northern Lebanon to residential and mixed-use development. Instead, I urge your support of a study to answer the questions: What are the limits to Lebanon's growth? What is a right-sized population that Lebanon can sustain? What needs to change in our planning to achieve and maintain that population?

Lebanon is adding housing at an unprecedented rate. The city tracks growth in housing units by decade. With the new housing built since 2020 and the 1482 additional units approved, we're headed for a decade of growth that's more than *double* what we've ever seen. Wouldn't it be prudent to pause, absorb our unprecedented growth, and consider what's best for Lebanon **long-term**? Here are specific concerns.

Crowding. Daily, we experience Lebanon's growing congestion. Crowding occurs when population density blocks effective functioning, forces stimulus overload, and creates feelings of helplessness. Think of your last drive out Route 12A. Crowding is associated with increased stress (Schmidt and Keating 1979) and increased risk of mental illness (Gruebner et al 2017). It increases risk of infectious disease. Remember the COVID refugees who fled urban crowding? The sad truth is that Lebanon's relentless growth threatens to destroy what made us, in 2014, one of the 10 best small towns in America.

Resource Scarcity. What is the city's capacity to provide water and sewer to more residents? This past summer we had extreme drought and restrictions on city water use. Climate change will bring ever-more extreme weather that strains our infrastructure. Has Lebanon modeled how a growing population will fit with an increasingly inhospitable environment?

Affordability. Already, Lebanon residents face high property taxes. Some argue that residential development will improve affordability. But repeatedly, municipalities find the opposite. Municipalities build out, over-estimating the increased revenue and under-estimating the actual costs of a growing population. Might Lebanon's present affordability crisis suggest that we don't accurately calculate the cost of our growth?

I recognize that we face a housing shortage. Many view the proposed upzoning as the solution. But this is short-term thinking. We can't keep growing forever. We can find other ways to maintain an economically-diverse community, like Community Land Trusts that ensure affordable home-ownership.

In the past, we've assumed growth was inevitable and desirable. But times have changed. Climate change is but one symptom that we're in trouble. We've had drought and repeated flooding--there will be more to come. Ecologists warn that humanity has overshoot what Earth can support. Globally, we use the resources of 1.87 Earths each year. Human well-being is expected to decline drastically during this century, starting as early as 2050 ([Bradshaw et al 2021](#)). Communities will likely be forced to rely on local resources. To prepare for these changes, resilient communities will move towards populations right-sized for the region's food system.

Of course, Lebanon can't build a moat and out-law all growth. But cities should be able to plan based on their resources and on a commitment to keep city services affordable. Zoning is one of the few tools NH gives municipalities to regulate growth. Let's use it thoughtfully and judiciously.

There is an alternative to Lebanon's outdated plan of inevitable growth. It's the plan of a thriving economically-diverse community that fits within ecological limits. There's a lot at stake with your vote. Thank you for your consideration of these concerns.

Sincerely,

Miriam Voran

References

[Bradshaw, Corey J.A. et al. 2021. "Underestimating the Challenges of Avoiding a Ghastly Future." *Frontiers in Conservation Science* 1 \(January\): 615419.](#)

Gruebner, O. et al. 2017. "Cities and Mental Health." *Dtsch Arztabl Int* 114, 121-7.

Schmidt, D.E. and Keating, J.P. 1979. "Human Crowding and Personal Control: An Integration of the Research." *Psychological Bulletin* 86 (4), 680-700.

Limits to Lebanon's Growth?

Lebanon is at a crossroads. On January 7 the City Council will vote on proposed amendments to upzone Northern Lebanon along the Route 120 corridor. If approved, these zoning changes will open the door to additional residential and mixed-use development, including more mid-rise apartment complexes.

Last year, many residents attended Planning Board meetings to oppose the Brickyard, a 474-unit apartment complex. Residents were frustrated and disappointed when, despite their concerns, they couldn't significantly influence the project. The Planning Board explained that the apartment complex was an "allowable use", given the zoning. The lesson learned is that residents need to take an up-stream interest in land use regulations, to influence what gets built.

This is the up-stream moment. If the zoning changes go through, we'll be in the same situation again. Once land is up-zoned, we can't stop an allowable use. This is the moment to speak up and ask: What are the limits to Lebanon's growth? When should we say "enough"?

We used to assume that growth was inevitable and desirable. Times have changed. Climate change is but one symptom that we're in trouble. We can't keep growing forever. This past summer we experienced extreme drought and restrictions on city water use. We've had flooding; our neighbors in central VT had severe floods two of the last three years. Ecologists warn that things will change drastically during this century, starting as early as 2050. Communities will likely be forced to rely on local resources. To prepare for these changes, resilient communities will move towards populations right-sized for the region's food system.

Of course, municipalities can't build moats and out-law all growth. But they can make plans based on their water and sewer capacity and on limits that keep city services affordable. Lebanon's up-stream moment gives us the opportunity to plan for a resilient, sustainable community, for us and for future generations. We should urge City Council to support such efforts. As a first step, the city could study two questions: What is a right-sized population that Lebanon can sustain? What needs to change in our planning to achieve and maintain that population?

Here are steps we can all take.

Attend the Dec 16 Zoning Amendments Q&A, Kilton Library, 5-6pm.

Write a letter to City Council. Letters sent to the Planning Department by Dec 23 will be forwarded to the City Council along with the proposed amendments.

Voice your views at the Jan 7 City Council meeting, City Hall, 7pm.

There is an alternative to Lebanon's outdated plan of inevitable growth. It's the plan of a thriving community that fits within ecological limits. There's a lot at stake this January.

Miriam Voran



22 December 2025

Honorable Mayor and City Council
City of Lebanon
51 North Park Street
Lebanon, NH 03766

Re: Request for Change to Amendment #6, Lot 26-2

Dear Mayor and Councilors:

Amendment #6. This amendment proposes to rezone a portion of parcel 26-2 on Etna Road to RL-3 (see attached "Lot 26-2").

Parcel 26-2 is a large, mixed use industrial parcel. It currently has an office building and a multi-family building on it. The parcel is unsuitable for typical industrial building as it is steep and bouldery. The land could support one to three more multi-family structures, if re-zoned.

We request the zone change area be revised to not include the existing IND-L land on ICV property. See attached exhibit, Amendment #6 map, revised.

We request the change for the following reasons:

- The change does not meet the criteria of the other lands being so zoned. Other parcels contain steep slopes and those portions are being changed to RL-3 to provide steep slope protection. On the attached steep slope exhibit, the portion of the ICV parcel that contains steep slopes are already protected by RL-3 zoning.
- Changing the zoning to RL-3 would rob ICV of the potential for future development. The whole purpose of the lengthy and involved North Lebanon Zoning project was to find means to fit in additional housing for the community. Such rezoning would be counter to the purposes of the North Lebanon project; the purpose was not to rob potential projects of the opportunity to provide housing.
- The IND-L portion of Lot 26-2 could support 3 more buildings of 125 units each. See Future concept plan.
- The proposed change is approximately 14Ac of IND-L changing to RL-3. This will have a small, perhaps negligible enhancement to the already conserved lands over 300Ac in size. However, it will have a devastating impact on the landowners ability to use his land.

In summary, we respectfully request that the ICV Lot 26-2 portion of Amendment #6 be eliminated.

City Council
Request for Change to Zoning Amendment #6
22Dec2025

Please let me know if you have any questions regarding this request.

Sincerely,

Daniel A. Nash, PE
Principal



Attachments:

- Amendment #6 map, revised
- Areas ICV, Lot 26-2
- Steep slope exhibit
- Future Concept Plan
- Conserved lands

CC: Nathan Reichert, Director of Planning and Zoning
Robert Sprayregen, ICV

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Amendment 6

Northern Lebanon Map Amendment – Conservation Area

From: Zoning Staff and 120 Corridor Study

Amendment 6 seeks to Rezone the several key properties in the area due to unique geographic features. Rezoning these areas to RL-3 will reduce the possible uses of the area from IND-L to RL-3 and will provide steep slopes protection. RL-3 includes steep slope protection. The change will target limited areas identified in studies over the years and referenced in the Northern Lebanon planning conversation. The alteration of the RL-3 map area in key sensitive locations allows for the Wildlife Overlay to be greatly reduced in scope by eliminating the need for wetland and steep slope protections by policy. This approach is much more limited and targeted to key sensitive geological and wildlife areas.

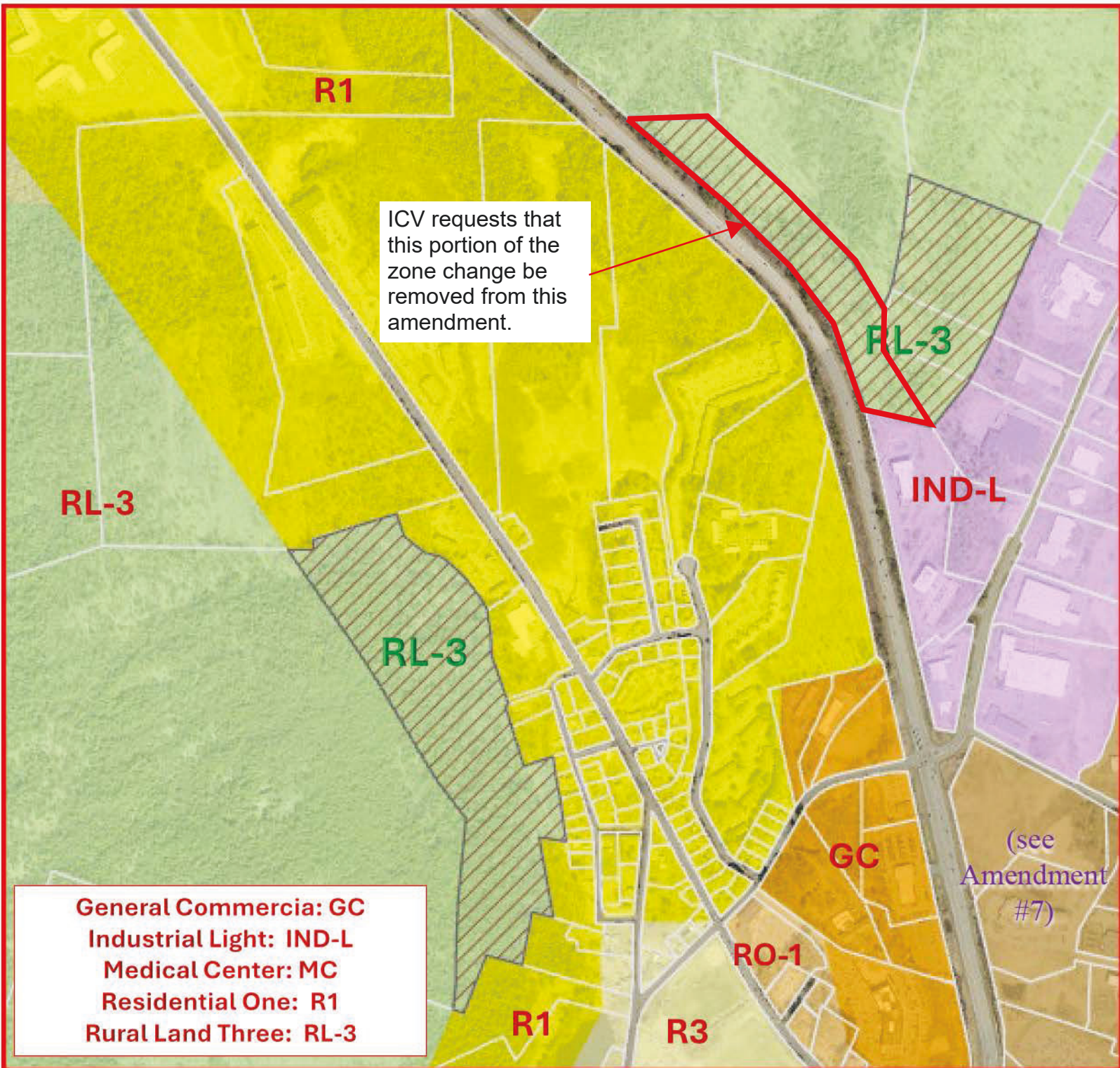
The Following Parcels are included:

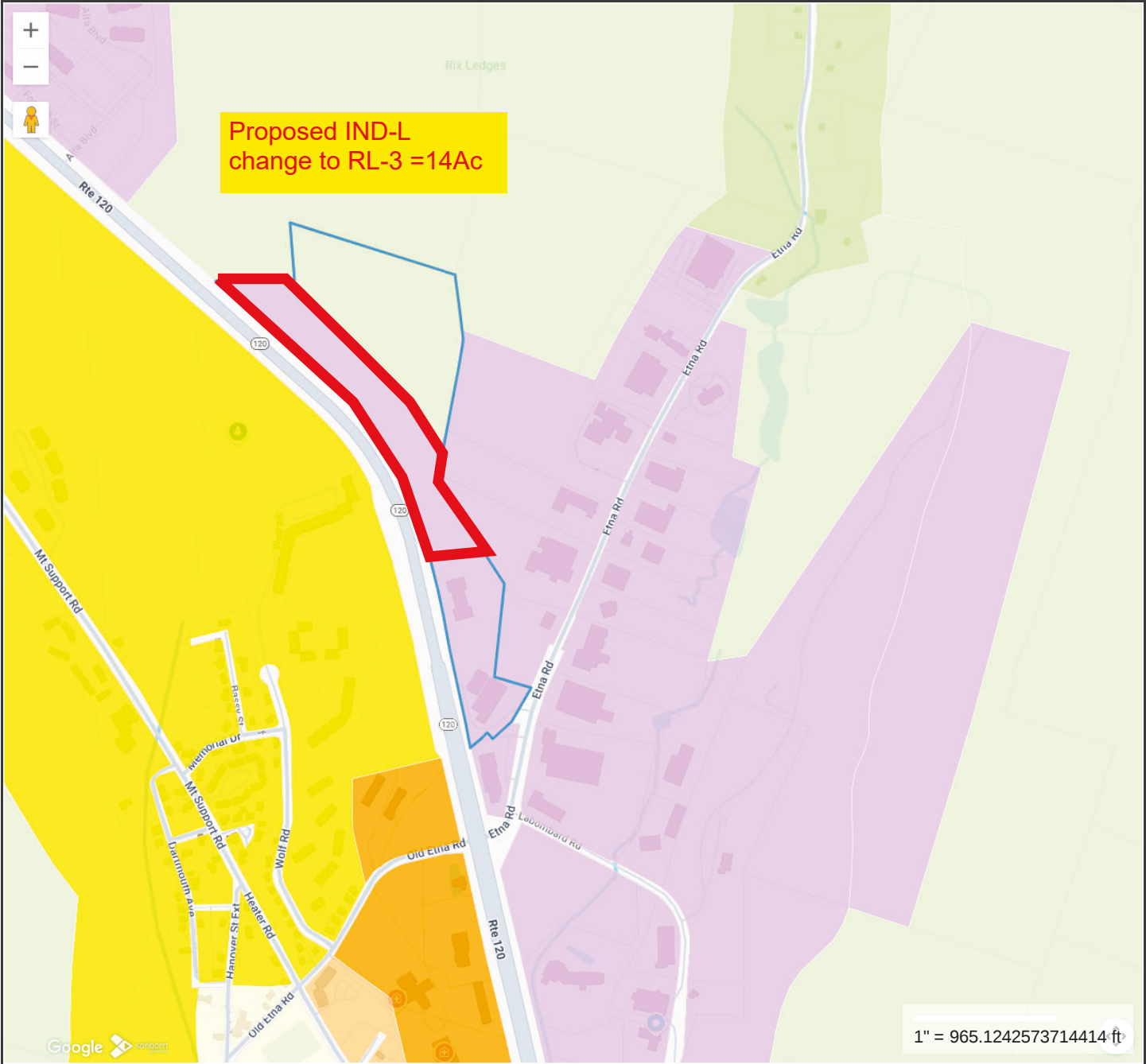
Address	Parcel	Proposed Zoning	Current Zoning	
67 – 69 Etna Road	26-2	RL-3 and IND-L Line Change	RL-3 and IND-L	REMOVE
85 Etna Road	37-4	RL-3 and IND-L Line Change	RL-3 and IND-L	
96 Etna Road	37-5	RL-3 and IND-L Line Change	RL-3 and IND-L	
101 Etna Road	37-7	RL-3 and IND-L Line Change	RL-3 and IND-L	
0 Mt. Support Road	76-10	R-1 and RL-3 Line Change	RL-3 and R-1	
Map Amendment follows:				

Amendment #6

Proposed Zoning

(Fall 2025 Amendment)





Property Information

Property ID 26-2-306
Location 69 ETNA RD #306
Owner SIDASH, STANISLAV



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Lebanon, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

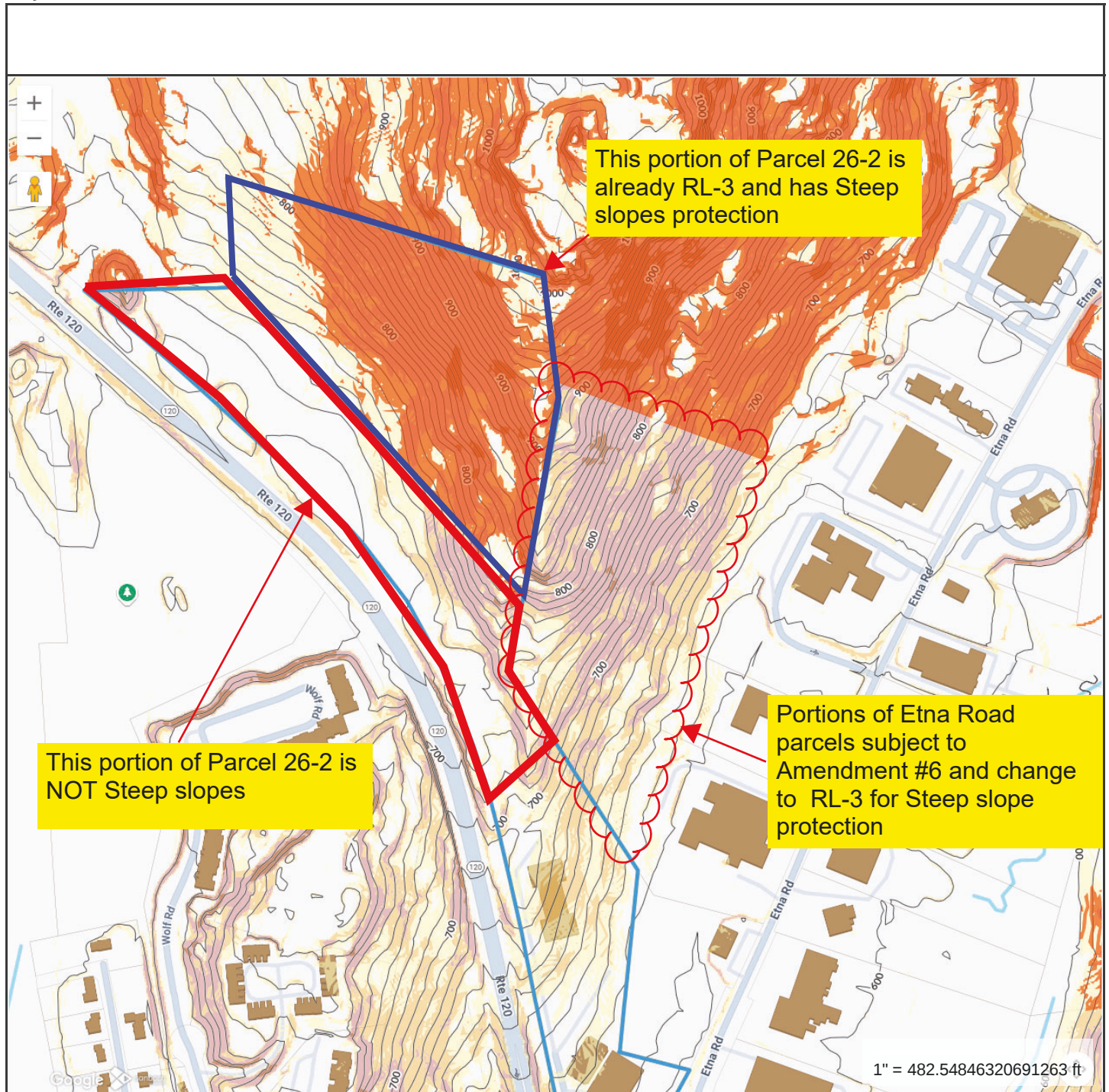
Geometry updated 12/08/2025
Data updated 11/18/2018

Print map scale is approximate.
Critical layout or measurement activities should not be done using this resource.

Map Theme Legends

Zoning District

- RL3 - RURAL LAND 3
- RL2 - RURAL LAND 2
- RL1 - RURAL LAND 1
- R1 - RESIDENTIAL 1
- R2 - RESIDENTIAL 2
- R3 - RESIDENTIAL 3
- RO - RESIDENTIAL OFFICE
- RO1 - RESIDENTIAL OFFICE 1
- GC- GENERAL COMMERCIAL
- GC-1 - GENERAL COMMERCIAL 1
- CB - CENTRAL BUSINESS
- IND-L - INDUSTRIAL LIGHT
- IND-RA - INDUSTRIAL RAIL ACCESS
- IND-H - INDUSTRIAL HEAVY
- MC - MEDICAL CENTER
- PB - PROFESSIONAL BUSINESS
- LD - LEBANON DOWNTOWN

**Property Information**

Property ID 26-2-306
Location 69 ETNA RD #306
Owner SIDASH, STANISLAV

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Lebanon, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 12/08/2025
Data updated 11/18/2018

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.

**STEEP SLOPE EXHIBIT
22Dec25**

Map Theme Legends

Steep Slope Protection Areas

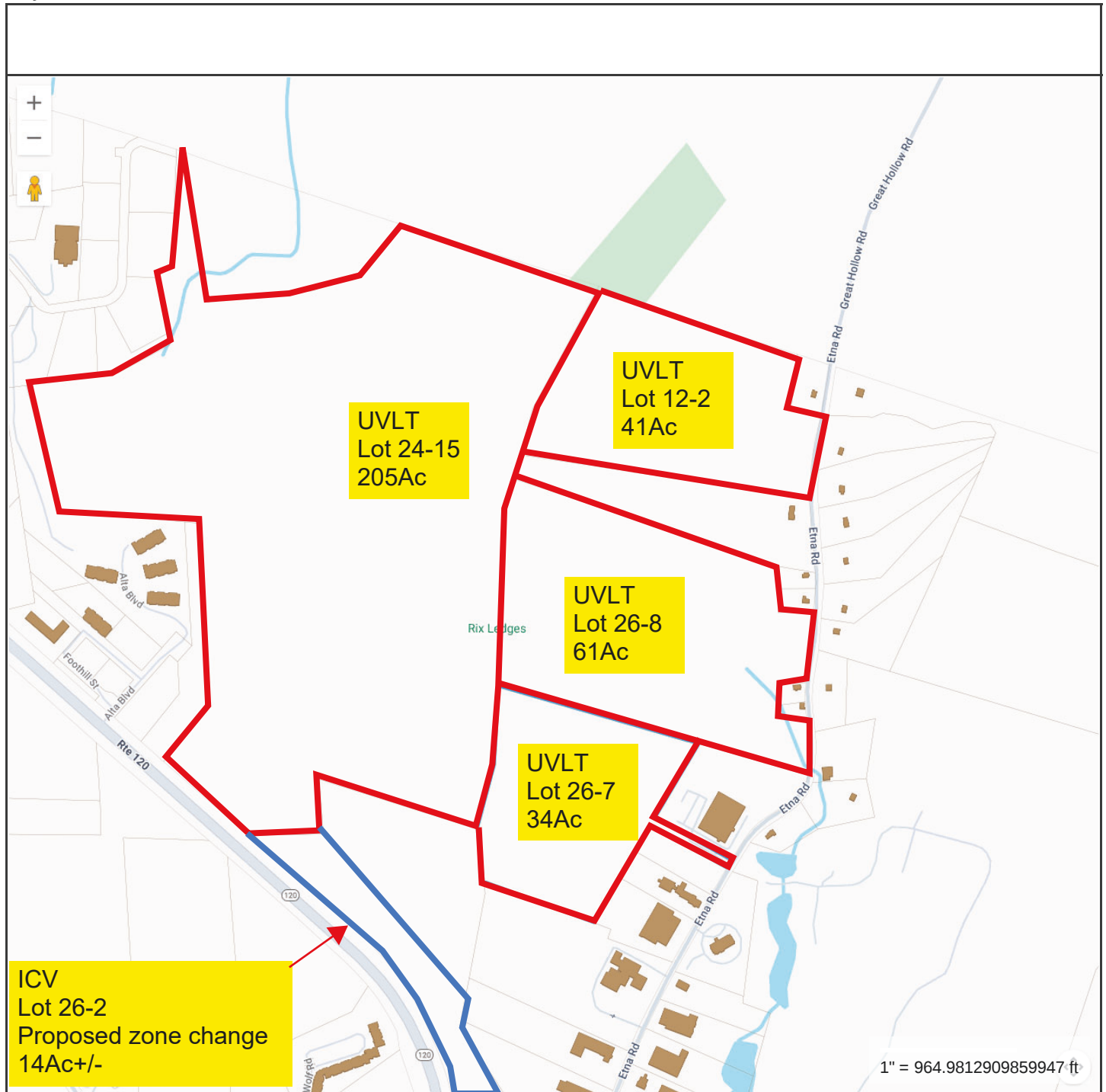
Steep Slope Protection Areas

Topography

- MAJOR INDEX CONTOUR
- MINOR CONTOURS
- 15% - 25% SLOPE
- 25% - 35% SLOPE
- 35% - 60% SLOPE
- > 60% SLOPE



DATE	
REVISIONS	
NO.	
DESCRIPTION	
CONCEPT SITE PLAN FOR ICV PHASE III IN LEBANON, NEW HAMPSHIRE	
ADVANCED GEOMETRICS & DESIGN 116 BANK STREET - PO BOX 512 LEBANON, NEW HAMPSHIRE 03666 PHONE: (603) 448-6295 FAX: (603) 448-8531 E-MAIL: info@advancedgeometrics.com	
DRAWN BY	GD
DESIGNED BY	DAN
CHECKED BY	DAN
DATE	12/22/2025
ICV PHASE III CONCEPT SITE PLAN	
C-1	
2025 ADVANCED GEOMETRICS & DESIGN (DWG: 2600-2600-C-1)	



Property Information

Property ID 26-7
 Location 0 ETNA RD
 Owner UPPER VALLEY LAND TRUST INC

Conserved lands

Lot 24-15 205Ac
 Lot 26-7 34Ac
 Lot 26-8 61Ac
 Lot 12-2 41Ac
 Total 341Ac



MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

City of Lebanon, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 12/08/2025
 Data updated 11/18/2018

Print map scale is approximate.
 Critical layout or measurement activities should not be done using this resource.

Conserved lands Exhibit
 22Dec25



22 December 2025

Honorable Mayor and City Council
City of Lebanon
51 North Park Street
Lebanon, NH 03766

Re: Additional Support for Petitioned Amendment #2, Lot 26-2

Dear Mayor and Councilors:

Amendment #2. This amendment requests the city rezone a portion of parcel 26-2 on Etna Road to GC-1 (see attached "Lot 26-2"). There may have been some confusion in the initial request and review. The initial review considered the request as one for the entire parcel, when in actuality, it was only a portion of the parcel designated IND-L to be changed to GC-1. (see attached sketch)

Parcel 26-2 is a large, mixed use industrial parcel. It currently has an office building and a multi-family building on it. The parcel is unsuitable for typical industrial building as it is steep and bouldery. The land could support one to three more multi-family structures, if re-zoned. A concept sketch is attached.

We request the zone change to allow for more multi-family buildings to be constructed. We request the change for the following reasons:

- The whole purpose of the lengthy and involved North Lebanon Zoning project was to find means to fit in additional housing for the community. This land is well suited to provide housing, as exists in the Treetops Condominium on this parcel.
- The parcel has water, sewer, power, and communications. It is also adjacent to employment centers that desperately need the housing. It would be a shame to convert such valuable land to conservation.
- The IND-L portion of Lot 26-2 could support 3 more buildings of 125 units each. See Future concept plan.
- This zone change meets the city's intent and purpose to create more housing. (argument against spot zoning).
- Placing housing units here decreases the commuting traffic demand for I-89 and Exit 18.
- As the city struggles with tax increases, one of the best ways to keep increases small, is to grow the grand list. ICV units have historically been of high value and add much to the grand list.

In summary, we respectfully request that the noted portion of ICV Lot 26-2 be re-zoned to GC-1, as indicated.

City Council
Additional Support for Zoning Amendment Request #2
22Dec2025

Please let me know if you have any questions regarding this request.

Sincerely,

Daniel A. Nash, PE
Principal

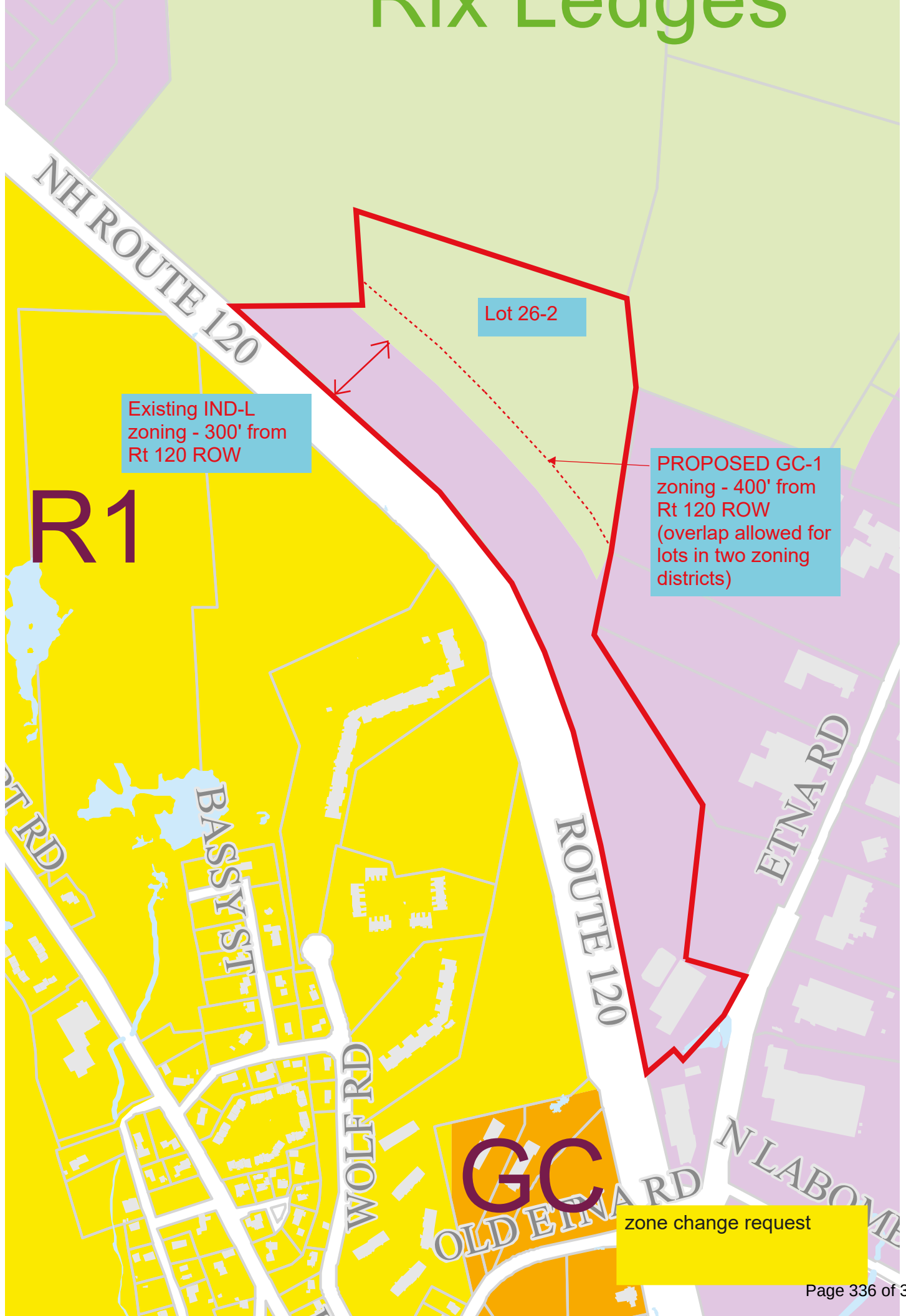


Attachments:

- Zone change request sketch
- Future Concept Plan

CC: Nathan Reichert, Director of Planning and Zoning
Robert Sprayregen, ICV

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CONCEPT SITE PLAN		FOR	ICV PHASE III	IN	LEBANON, NEW HAMPSHIRE
ADVANCED GEOMETRICS & DESIGN		110 BANK STREET - PO BOX 512 LEBANON, NEW HAMPSHIRE 03366 PHONE: (603) 448-6295 FAX: (603) 448-8531 E-MAIL: info@advancedgeometrics.com			
DRAWN BY	QSR	DESIGNED BY	QSR	CHECKED BY	QSR
DATE	12/22/2025	ICV PHASE III CONCEPT SITE PLAN			
C-1		2025 ADVANCED GEOMETRICS & DESIGN DWG: 2600-2600-AL-1			