



**LEBANON CITY COUNCIL
REGULAR MEETING AGENDA
Council Chambers, City Hall
Wednesday, January 17, 2018
7:00pm**

6:00PM

QUARTERLY BOARD/COMMITTEE REPORTS (2017 4th Quarter Activities)

7:00PM

CALL TO ORDER: The January 17, 2018 Lebanon City Council Meeting is hereby called to order.

1. PLEDGE OF ALLEGIANCE

2. 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.)**

3. OPEN TO THE PUBLIC

4. RESOLUTIONS

- Jonathan Paul, Firefighter / Fire Inspector
- Stephen St. Louis, Police Lieutenant

Documents:

[2018-01-17_Item.0.4-RESOLUTION.pdf](#)

5. ACCEPTANCE OF MINUTES

- January 3, 2018 (Regular Session)

Documents:

[2018-01-17_Item.0.5-MINUTES.pdf](#)

6. APPOINTMENTS

- Planning Board: Keith Davio, Reappointment as Regular Member
- Connecticut River Joint Commissions - Upper Valley River Subcommittee

Documents:

[2018-01-17_Item.0.6-APPOINTMENTS.pdf](#)

7. PUBLIC HEARING ITEMS

A. PROPOSED AMENDMENTS TO THE ZONING ORDINANCE FOR COUNCIL ADOPTION - Public Hearing For The Purpose Of Receiving Public Input And Taking Action On Proposed Zoning Amendments For Adoption By The City Council, As Follows:

MAP AMENDMENTS:

Amendment #1 – Proposed Zoning Map Change from IND-H to RL-1 and RL-3, and from RL-3 to RL-1 for portions of properties located at 0 Hall Road (M/L 159-6), 0 Hall Road (M/L 159-7), 17 Hall Road (M/L 159-3), 38 Hall Road (M/L 159-5), 0 Poverty Lane (M/L 161-4), 0 Civil Air Patrol Road (M/L 131-6), 53 Trues Brook Road (M/L 159-1). The primary purpose of the amendment is to bring the zoning into conformance with the adopted 2012 Master Plan Future Land Use Map which identifies this area as “rural”. (Zoning Map Change)

Amendment #2 – Proposed Zoning Map Change from NC to RL-2 for portions of properties located at 0 Hillside Dr (M/L 84-6), 5 Hillside Dr (M/L 84-3), 7 Hillside Dr (M/L 84-4), 8 Hillside Dr (M/L 84-5), 0 Manchester Dr (M/L 98-26), 0 Manchester Dr (M/L 84-47-2), 5 Manchester Dr (M/L 84-47-1), 6 Manchester Dr (M/L 84-2), 10 Manchester Dr (M/L 98-4), 13 Manchester Dr (M/L 98-25), 0 NH Route 4A (M/L 98-16), 0 NH Route 4A (M/L 98-8), 0 NH Route 4A (M/L 98-23-200), 0 NH Route 4A (M/L 84-47-3), 57 NH Route 4A (M/L 84-42), 61 NH Route 4A (M/L 84-43), 65 NH Route 4A (M/L 84-44), 67 NH Route 4A (M/L 84-45), 69 NH Route 4A (M/L 84-46), 73 NH Route 4A (M/L 98-5), 74 NH Route 4A (M/L 98-24), 77 NH Route 4A (M/L 98-6), 78 NH Route 4A (M/L 98-23-100), 83 NH Route 4A (M/L 98-7), 86 NH Route 4A (M/L 98-22), and 92 NH Route 4A (M/L 99-2). The primary purpose of the amendment is to bring the zoning into conformance with the adopted 2012 Master Plan Future Land Use Map which identifies this area as “Residential – Low Density”. (Zoning Map Change)

Amendment #3 - Proposed Zoning Map Change from R-2 to R-O for a portion of the property located at 75 Bank Street (M/L 92-78). The primary purpose of the amendment is to bring the zoning into conformance with the existing low-intensity mix of uses on surrounding properties in Bank Street corridor. (Zoning Map Change)

Amendment #4 - Proposed Zoning Map Change from R-2 to R-O for portions of properties located at 3 School St (M/L 92-129), 8 School St (M/L 92-6), 10 School St (M/L 92-5), 11 School St (M/L 92-217), 14 School St (M/L 92-4), 15 School St (M/L 92-218), 17 School St (M/L 92-219), 18 School St (M/L 92-3), 19 School St (M/L 92-220), 22 School St (M/L 92-2), 23 School St (92-221), and 29 School St (M/L 92-222). The primary purpose of the amendment is to bring the zoning into conformance with the adopted 2012 Master Plan Future Land Use Map which identifies this area as “mixed use”. (Zoning Map Change)

Amendment #5 - Proposed Zoning Map Change from R-3 to CBD, and from CBD to R-3 for portions of properties located at 6 Atwood

Ave (M/L 72-59), 7 Atwood Ave (M/L 72-61), 8 Bridge St (M/L 72-28), 1 Central Ave (M/L 72-62), 5 Central Ave (M/L 72-63), 7 Central Ave (M/L 72-64), 3 Church St West (M/L 72-85), 6 Crafts Ave (M/L 58-87), 8 Main St (M/L 86-23), 30 Main St (M/L 72-83), 36 Main St (M/L 72-81), 70 Main St (M/L 72-78), 80 Main St (M/L 72-71), 3 Maple St (M/L 86-24), 15 Maple St (M/L 72-44), 19 Maple St (M/L 72-45), 110 N Main St (M/L 72-34), 99 N Main St (M/L 72-31), 112 N Main St (M/L 72-33), 105 N Main St (M/L 72-32), 5 Prospect St West (M/L 72-36), and 16 Tracy St (M/L 72-76). The primary purpose of the amendment is to ensure the zoning allows full utilization of CBD lots for commercial purposes. (Zoning Map Change)

Amendment #6 - Proposed Zoning Map Change from R-2 to R-O for portions of properties located at 59 S Main St (M/L 86-59), 61 S Main St (M/L 86-60), 67 S Main St (M/L 86-61), 69 S Main St (M/L 101-25), 77 S Main St (M/L 101-26), 89 S Main St (M/L 101-27), 93 S Main St (M/L 101-28), 95 S Main St (M/L 101-29), and 97 S Main St (M/L 101-30). The primary purpose of the amendment is to bring the zoning into conformance with the adopted 2012 Master Plan Future Land Use Map which identifies this area as "mixed use". (Zoning Map Change)

Amendment #7 - Proposed Zoning Map Change from R-3 to CBD, and from CBD to R-3 for portions of properties located at 6 Bennett Ct (M/L 91-137), 6 ½ Bennett Ct (M/L 91-136), 12 Eldridge St (M/L 91-201), 9 Fairview Ave (M/L 91-167), 7 Guyer St (M/L 91-122), 12 Guyer St (M/L 91-127), 72 Hanover St (M/L 91-198), 76 Hanover St (M/L 91-200), 106 Hanover St (M/L 77-138), 114 Hanover St (M/L 77-139), 1 Hough St (M/L 91-193), 2 Hough St (M/L 91-177), 3 Hough St (M/L 91-192), 7 Jordan Ct (M/L 91-143), 10 Jordan Ct (M/L 91-142), 3 Lareau Ct (M/L 77-171), 5 Lareau Ct (M/L 77-170), 4 Light St (M/L 91-155), 5 Light St (M/L 91-164), 6 Light St (M/L 91-156), 35 Mascoma St (M/L 91-121), 1 West St (M/L 91-151), 3 West St (M/L 91-150), 4 West St (M/L 91-135), and 6 West St (M/L 91-138). The primary purpose of the amendment is to ensure the zoning allows full utilization of CBD lots for commercial purposes. (Zoning Map Change)

Amendment #8 - Proposed Zoning Map Change from CBD to R-2, and from R-2 to CBD, and from R-O to CBD for portions of properties located at 18 Bank Street (M/L 92-123), 20 Bank Street (M/L 92-122), and 20 Elm Street (M/L 92-137). The primary purpose of the amendment is to eliminate an apparent anomaly and provide a more logical zoning boundary. (Zoning Map Change)

Amendment #9 - Proposed Zoning Map Change from R-3 to CBD for portions of properties located at 45 Spencer Street (M/L 78-17), 48 Spencer Street (M/L 78-38), 52 Spencer Street (M/L 78-37), 56 Spencer Street (M/L 78-36), and 4 Suzor Court (M/L 78-35). The primary purpose of the amendment is to bring the zoning into conformance with the adopted 2012 Master Plan Future Land Use Map which identifies this area as "CBD". (Zoning Map Change)

Amendment #10 - Proposed Zoning Map Change from R-3 to MC for a portion of the property located at 127 Lahaye Drive (M/L 22-2). The primary purpose of the amendment is to eliminate an apparent anomaly and provide a more logical zoning boundary. (Zoning Map Change)

Amendment #11 - Proposed Zoning Map Change from IND-L and R-3 to RL-3 for portions of properties located at 0 Glen Road (Map 116, Lots 5 & 6), 0 Glen Road (M/L 116-4), 0 Glen Road (M/L 102-62), 0 Glen Road (M/L 102-61), and 130 Glen Road (M/L 102-60). The primary purpose of the amendment is to bring the zoning into conformance with the adopted 2012 Master Plan Future Land Use Map which identifies this area as "rural". (Zoning Map Change)

TEXT AMENDMENTS:

Amendment #12 - To add Enhanced Performance Standards as an Innovative Land Use Control to allow for and regulate uses permitted by Conditional Use Permit (CUP); to move certain uses from a Special Exception Use to a new "Uses Permitted By Conditional Use Permit (See Section 302.4)" in the IND-L, IND-RA, IND-H, GC, CBD and MC Districts; to clarify non-residential uses permitted by CUP in the IND-L District may be allowed in an Industrial PUD; to clarify uses permitted by CUP within the Industrial/Office Sector of a Planned Business Park; to clarify conforming use status for pre-existing uses allowed by Condition Use; and to amend definition of "Conditional Use" (Zoning Ordinance Sections 302.4 (new), 303.2, 303.4, 303.5, 303A.2, 304.2, 305.2, 306.2, 306.4, 315.1, 315.2, 501.4.D, 508.4.C, 704, and Appendix A)

Amendment #13 - To return Section 213 ("Impact Fees"), subsection 5 ("Standards and Basis of Assessment") back to original 2009 language to cover conversions for all new development, and to eliminate Section 213.5.E (conversions for new residential development) (Zoning Ordinance Sections 213.5 and 213.7)

Amendment #14 - To allow "Accessory Dwelling Unit per Section 610" as a Permitted Use instead of by Special Exception in the R-O, RO-1, and PB Districts (Zoning Ordinance Sections 311.2, 311A.2 and 311B.2)

Amendment #15 - To allow "Library or museum conversion per Section 601" and "Theater, concert hall, movie theater conversion per Section 601" as uses permitted by Special Exception R-O District (Zoning Ordinance Sections 311.2)

Amendment #16 - To amend Section 205 to allow a "Group Residence" to include more than one principal building on a lot when approved by the Planning Board as part of a Site Plan Review; and to amend definition of "Group Residence" (Zoning Ordinance Sections 205.3 and Appendix A)

Amendment #17 - To amend Section 601.2 to allow off-street parking for conversions to occupy the front yard if such parking areas legally existed as of 2013. (Zoning Ordinance Section 601.2.A)

Amendment #18 - To clarify the exceptions to the maximum off-street parking requirement (Zoning Ordinance Section 607.3.C)

Amendment #19 - To add "Retail Showroom per Section 303.5 (less than 10%)" as a Permitted Use in the IND-L District. (Zoning Ordinance Section 303.2)

Amendment #20 - To move "Drive-through facility" from a Permitted Use to a Special Exception in the CBD District. (Zoning Ordinance Section 306.2)

Amendment #21 - To amend Section 607.5.B to allow the Planning Board to approve private off-lot parking as a Conditional Use for conversions of residences to multi-family dwellings during Site Plan Review process. (Zoning Ordinance Section 607.5.B)

Amendment #22 - To eliminate minimum size threshold for ADUs. (Zoning Ordinance Section 610.E)

Amendment #23 - To clarify Section 611.A regarding the number of hens allowed to be kept on any tract of land. (Zoning Ordinance Section 611.A)

Amendment #24 - To eliminate definition of "Accessory Wind Energy Facility" (Note: the existing definition of "Accessory Wind Energy System" remains unchanged). (Zoning Ordinance Appendix A)

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

Documents:

[2018-01-17_Item.0.7.A-COUNCIL - ZONING AMENDMENTS.pdf](#)

B. PROPOSED AMENDMENTS TO THE ZONING ORDINANCE FOR 2018 MUNICIPAL BALLOT - Public Hearing For The Purpose Of Receiving Public Input And Taking Action To Place Proposed Zoning Amendments On The 2018 Municipal Ballot, As Follows:

MAP AMENDMENTS:

Amendment #1 – Proposed Zoning Map Change from R-1 to RL-3 for a portion of the property located at 220 Mascoma St (M/L 89-8). The primary purpose of the amendment is to conform with the adopted 2012 Master Plan Future Land Use Map by acknowledging that characteristics of the land, including floodplain, steep slopes, and wetlands are consistent with Rural Lands designation as opposed to high-density residential district. (Zoning Map Change)

Amendment #2 – Proposed Zoning Map Change from R-1 to RL-3 for properties located at 0 Mascoma Street (M/L 74-8-100), 00

Mascoma Street (M/L 74-8-200), 00 Mascoma Street (M/L 74-7), 204 Old Pine Tree Cemetery Road (M/L 74-6), 198 Old Pine Tree Cemetery Road (M/L 74-5), and 0 Old Pine Tree Cemetery Road (M/L 74-4). The primary purpose of the amendment is to conform with the adopted 2012 Master Plan Future Land Use Map by acknowledging that characteristics of the land, including steep slopes, and wetlands are consistent with Rural Lands designation as opposed to high-density residential district. (Zoning Map Change)

Amendment #3 – Proposed Zoning Map Change from RO-1 and R-3 to RL-3 for properties located at 0 NH Route 120 (M/L 77-127), and 0 Evans Drive (M/L 63-4). The primary purpose of the amendment is to conform with the adopted 2012 Master Plan Future Land Use Map by acknowledging that characteristics of the land, including floodplain and wetlands are consistent with Rural Lands designation as opposed to residential and residential office districts. (Zoning Map Change)

TEXT AMENDMENTS:

Amendment #4 – To allow “Accessory Dwelling Unit per Section 610” as a Permitted Use instead of by Special Exception in the R-1 and R-2 Districts (Zoning Ordinance Sections 308.2 and 309.2)

Amendment #5 – To remove “Private education facility conversion per Section 601”, “Library or museum conversion per Section 601” and “Theater, concert hall, movie theater conversion per Section 601” as uses permitted by Special Exception in the R-2 District (Zoning Ordinance Sections 309.2)

Amendment #6 – To add new 302.2 (Accessory Uses), eliminate “Accessory Use to a Permitted Use” from the Permitted Uses of all zoning districts, and eliminate “Accessory Use to a Use Permitted by Special Exception” from the Special Exception Uses of all zoning districts (Zoning Ordinance Sections 302.2, and all Article III Tables of Uses)

Amendment #7 – To add a minimum setback of 100 feet from any residence on another lot located in any residential district, other than the RL-3 District, for Agricultural uses involving the raising of cows, horses, pigs, poultry and other livestock in RL-1, RL-2, and RL-3 Districts (Zoning Ordinance Sections 312.4, 313.4, and 314.4)

i. Presentation:

ii. Opening of the Public Hearing:

iii. Questions & Comments by the Public:

iv. Closing of the Public Hearing:

v. Council Deliberation & Action:

Documents:

[2018-01-17_Item.0.7.B-BALLOT - ZONING AMENDMENTS.pdf](#)

C. ORDINANCE #2018-02 - Public Hearing For The Purpose Of Receiving Public Input And Taking Action On Proposed Ordinance #2018-02 To Amend City Code Chapter 168, Vehicles And Traffic, §168-7 C (5)

i. Presentation:

ii. Opening of the Public Hearing:

iii. Questions & Comments by the Public:

iv. Closing of the Public Hearing:

v. Council Deliberation & Action:

Documents:

[2018-01-17_Item.0.7.C-ORD 2018-02 - AMEND CH 168 - COURT ST.pdf](#)

8. OLD BUSINESS

A. Appointment Of City Manager

Documents:

[2018-01-17_Item.0.8.A-CITY MANAGER APPOINTMENT.pdf](#)

B. CSO 11 Design & Construction: Inclusion Of Sidewalks On West Street, Lebanon

Documents:

[2018-01-17_Item.0.8.B-CSO11-SIDEWALKS ON WEST STREET.pdf](#)

9. NEW BUSINESS

A. Discussion And Potential Action To Reduce Speed Limit On Pleasant Street, West Lebanon From 30mp To 25mph

Documents:

[2018-01-17_Item.0.9.A-PLEASANT STREET SPEED LIMIT.pdf](#)

10. REPORTS

A. City Manager

B. Council Representatives To Other Bodies

11. FUTURE AGENDA ITEMS

12. NON-PUBLIC SESSION

13. ADJOURN

Any person with a disability who wishes to attend this public meeting and needs additional accommodations, 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.

The agenda, in its entirety, is available on the City's website at www.LebanonNH.gov. Copies can be obtained at the City Manager's Office and are available on the Monday prior to the scheduled council meeting.

CATV CHANNEL 8 BROADCASTS CITY COUNCIL MEETINGS AT 8:00PM ON THE NIGHT FOLLOWING THE MEETING. THESE MEETINGS ARE AVAILABLE VIA CATV'S WEBSITE (WWW.CATV8.ORG) FOR VIEWING BY 5:00PM THE DAY FOLLOWING THE MEETING. CATV ALSO BROADCASTS THE LEBANON PLANNING BOARD AND SCHOOL BOARD MEETINGS. CONSULT THE WEBSITE FOR DETAILS.

FUTURE BOARD/COMMITTEE/COMMISSION APPOINTMENTS

Board/Committee: Upper Valley River Subcommittee

Position: Regular Member

Applicant: Ruth Bleyler

Assigned Councilor:

Assigned Date:

Note: While one(1) city councilor is officially assigned to interview each applicant, ANY city councilor may interview ANY applicant for any position to better inform their decision.

PROPOSED FUTURE AGENDA ITEMS: Dates may be tentative and this list not considered all inclusive. PLEASE REVIEW THESE ITEMS AND REMOVE/ASSIGN DATES AS NECESSARY.

FEBRUARY 7, 2018

NEW BUSINESS:

- A. Preparation of Concise Statements for 2018 Municipal Ballot
- B. Review and Discussion of November and December 2017 Budget Reports & Release of Collected Public School Impact Fees
- C. Presentation of 1st Reading and Set Public Hearing for March 7, 2018: Amendment to Ord. #18, Salary Plan, Article II, Non-Affiliated Employees
- D. Discussion & Set Public Hearing for February 21, 2018 - Keno Petition (TENTATIVE)

FEBRUARY 21, 2018

PUBLIC HEARING ITEMS:

- A. Keno Petition (TENTATIVE)

OLD BUSINESS:

- A. Presentation of 2nd Reading to amend Ord. #18, Salary Plan, Article II, Non-Affiliated Employees

NEW BUSINESS:

- A. TIF Feasibility Study Final Briefing: Action to Authorize Development of TIF Ordinance
- B. Proposed Amendments to Section 608, Signs, of the Lebanon Zoning Ordinance
- C. Review of Airport Fees