

*Planning Board Minutes  
September 10, 2008*

***PUBLIC HEARING***

*Lincoln Town Hall  
Conference Room  
Main Street, Lincoln, New Hampshire*

Present: Chairman Pat Romprey, Vice Chairman Joe Chenard, Member John Hettinger, Clerk Jim Spanos, Selectmen's Representative Peter Moore, Alternate Charlie Cook and Alternate Deanne Chrystal

Staff Present: Stacey Boyce – Planning Administrator; Peter Joseph – Town Manager

Others Present: Susan Chenard, Ken Asai and Chester Kahn

**6:07 PM CALL TO ORDER by Chairman Romprey; announcement of excused absences, if any, and seating of alternates(s), if necessary.**

Chairman Romprey called the meeting to order and welcomed those present. Full quorum present. Alternate Freddie was excused.

**6:08 PM CONSIDERATION of Draft Meeting Minutes for August 13<sup>th</sup>, 2008**

Selectmen's Representative Moore made a **motion** to approve the minutes of August 13<sup>th</sup>; seconded by Member Hettinger. Clerk Spanos abstained, as he was only present for half the meeting.

**6:08 PM REVIEW AND COMMENT on the MATRIX REPORTS and OPEN FILES pertaining to:**

- A. Land Use Subdivision and Site Plan Applications/Approvals
- B. Building Permit Applications
- C. Sign Permit Applications

Selectmen's Representative Moore asked if and Certificates of Occupancy had been issued since the last meeting. Mrs. Boyce stated some inspections had been done but occupancy permits had not been issued because there were problems with the homes.

**6:10 PM CONTINUING & OTHER BUSINESS (Staff and Planning Board Member/Alternates)**

Mr. Kahn addressed the Board on behalf of the Vita Café stating that in the process of doing interior renovations from the pizza place to the café approximately 10 seats were lost. Mr. Asai, the owner of the café, would like to construct a portable deck on the front side of the building to recoup some of the lost seating. Mr. Kahn said there would be one lost parking spot but there is plenty of municipal parking across the street as many of the on-street businesses use.

Chairman Romprey confirmed the deck would be a temporary structure and would be removed during the winter. Chairman Romprey stated that for the deck to become any type of permanent structure they would need to come before the Board for a Site Plan Review waiver.

Selectmen's Representative Moore asked the size of the proposed deck. Mr. Kahn stated it would be 10' x 12' approximately.

Mr. Kahn and Mr. Asai were instructed to get the forms from Mrs. Boyce and apply for a building permit.

**6:15 PM CONTINUING & OTHER BUSINESS** (Staff and Planning Board Member/Alternates)

Chairman Romprey review a proposed construction control sheet he would like to start using it for all new construction of homes in town to help take any fault liability from the town. The form will be sent to the town attorney for insertion of any relevant codes that will need to be put into the form.

Clerk Spanos stated the law states that contractors are the ones liable for any liability and towns can't be held liable for any problems therefore he thinks the form is unnecessary.

Chairman Romprey stated with the town issuing certificates of occupancy they still do assume some liability as he has seen towns that have been taken to court.

Vice Chairman Chenard inquired if the form would apply to individuals who build their own houses without the use of licensed contractors, plumbers etc. It was noted the form would be used for anyone that is licensed to keep the liability directed towards the builder, electrician, plumbers etc.

After discussion it was noted that if an individual were building their own home and doing the work on their own then the town should have another form drafted as a waiver to release the town from harm in the event the individual homeowner did not construct their house to State specifications.

Selectmen's Representative Moore made a **motion** to send the form to the town lawyer for review, seconded by Member Hettinger. Vote was unanimous.

**6:44 PM CONTINUING & OTHER BUSINESS** (Staff and Planning Board Member/Alternates)

Town Manger Joseph gave the Board members a letter received from the Land Surveyors Association for informational purposes.

**6:46 PM CONTINUING & OTHER BUSINESS** (Staff and Planning Board Member/Alternates)

Chairman Romprey asked Town Manager Joseph if he was comfortable with the process and review of sign and building permit applications. He responded he was. Chairman Romprey said two signatures have been required on permits and certificates of occupancy for the last 3-4 months and now that Town Manager Joseph was comfortable with the way things were the Board was turning the signing of permits over to Town Manager Joseph and would only require one signature again.

Selectmen's Representative Moore stated if there were any potential revisions needed for the ordinances the Board should start to review them now while it was quiet.

**6:55 PM CONTINUING & OTHER BUSINESS** (Staff and Planning Board Member/Alternates)

Chairman Romprey stated it was time to re-new officers for the Board again.

Member Hettinger made a **motion** to re-elect the existing officers, seconded by Selectmen's Representative Moore. Vote was unanimous.

**6:56 PM PUBLIC INPUT** on Specific Issues –

There were no comments made.

**6:56 PM ADJOURNMENT**

Selectmen's Representative Moore made a **motion** to adjourn, seconded by Alternate Chrystal. Vote was unanimous.

Dated: October 8, 2008

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Pat Romprey, Chairman