

Town of Lincoln Planning Board – Meeting Minutes
September 22, 2010 – 6:00 pm

Present: Chairman Pat Romprey, Vice Chairman Joe Chenard, Jim Spanos, John Hettinger, Peter Moore, Charlie Cook, Tom Adams

Staff Present: Planning & Zoning Administrator Matt Henry, Peter Joseph Town Manager

Excused Absences: Deanne Chrystal

Others Present: Betty Beaudin, Paul Beaudin, David Larson, Carole Bont, Will Dodge

I. CALL TO ORDER by the Chairman Pat Romprey at **6:00PM**;

II. CONSIDERATION of the Draft Meeting Minutes of 09/08/2010.

Charlie Cook corrected the part in the minutes that says he is an abutter to the Forest Ridge Solid Waste Disposal Site. In fact, he is an abutter to Betty Beaudin. Jim Spanos asked if Joe Chenard was absent for the whole meeting. The Board verified he was.

MOTION: John Hettinger made a motion to approve the minutes of 09/08/2010 with the correction. Jim Spanos seconded the motion. The motion carried unanimously (5-0).

CONCEPTUAL DISCUSSION/REVIEW Regarding possible collocation and expansion of existing Telecommunication facility submitted by Downs Rachlin Martin for New Cingular Wireless (Tax Map 122, Lot 003)

Proposal: None

Planning Board: Conceptual discussion regarding possible collocation and expansion of existing telecommunications facility.

Public Hearing: Not Required

Will Dodge, representing AT&T, began by describing the existing facilities that are present. He said that when the Planning Board initially approved the Site Plan, one of the conditions mandated that the provider allow for collocation and the establishment of a 50 foot monopole. New Cingular is proposing a 20 foot increase from the present height. They are going to propose placing a set of three antennas at 107 feet and a set of three at 117 feet. The overall idea is to provide more desirable “UMTS” aka “3G” service for their customers while maintaining the older “GSM” service.

This structure is unique because the antennas are not visible from the outside of the support structure but are maintained within the structure. They are also planning on constructing an equipment structure that is adjacent to the Nextel shelter, as well as an emergency generator. Will Dodge passed around and explained a coverage area map showing where AT&T is serviced. It showed that it is being serviced at town hall adequately but a block from town hall the service is drastically diminished. Chairman Romprey agreed saying that he has very poor reception even at town hall and he has an AT&T Cellular provider. The two areas where coverage will improve is at Loon and in the downtown areas. Will Dodge continued by saying that the height must be increased in order to eliminate gaps in the service.

Chairman Romprey stressed that coverage is very important. He said that one of the discussions that took place during the original Site Plan Review was the importance of access to cell service in the event that someone was lost in the woods. John Hettinger said that when the original Site Plan was

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discussed at the Planning Board in 2006, Nextel made it a condition that they must be highest on the tower if they were to allow for collocation. Chairman Romprey said that so long as Nextel agrees to let AT&T have a higher spot on the tower, he sees no problem with the placement of the cell providers. Will Dodge said that he feels that he has all of the applicable information required for an application, with the exception of a “Power Density Survey” that ensures that the structure in place is compliant with what is required for the Federal Communications Commission. Tom Adams asked if usage in one particular area at one time, during a Special Event for example, would impact service. Will Dodge answered that it would indeed create a coverage shortage if one facility is over taxed. Additionally, if many individuals are filming an event on their phone it results in the same sort of jam.

Matt Henry said that what was required by the Planning Board for a Telecommunications Facility application, beyond what is required in the Site Plan Review Application is dictated by statute and he has sent an e-mail to Sheila Grace describing what was required. New Cingular will also be applying for a few waivers as well. Will Dodge described that they will be requesting waivers for most of the same things that Nextel requested waivers to. Mr. Dodge continued by saying that AT&T will also be required to complete a “NEPA Screening”. He asked if the Planning Board will be amenable to making approval conditional to providing the checklist as an administrative condition. Chairman Romprey indicated he does not see a problem with that. Joe Chenard said he recalled that the original approval allowed extension of up to 50 feet and thus does not require Site Plan Review. Matt Henry said that as per the Land Use Plan Ordinance, any collocation requires undergoing Site Plan Review or a Conditional Use Permit depending on the Zone it is located in.

III. CONTINUING & OTHER BUSINESS (Staff and Planning Board Member/Alternates).

A. Carole Bont – North Country Council – services offered

Carole Bont began by explaining what North Country Council does and how it is funded. She said that most of their funding comes from grants and she considered Lincoln to be of the more sophisticated communities for its size so there may be little that North Country Council could offer them. However, she explained that they offer Master Planning, CIP, and other contracted services for a fee.

Tom Adams said that he has been on the board for quite some time and is a former Chairman. He said that North Country Council walked the Lincoln Planning Board through how to conduct a Master Plan, assisted in the Village Center Plan, and the Master Plan. He said that the reason Lincoln is as progressive as they are today is because of North Country Council and their assistance. Carole Bont said that they also offer trainings and North Country Council would be happy to provide trainings for subjects that may be helpful to the Planning Board.

Carole Bont also mentioned a Federal Grant that was available for the town to conduct an energy audit. While the funds may not go toward implementing energy findings, the funds are available to conduct the actual evaluation. Chairman Romprey said that that would be more of a Selectmen issue. However, The Town is looking to update the Master Plan in the near future and he asked if there were any funds available for that. Carole Bont said that there is approximately 40 hours of time that may be split between 15 towns, so while there is money available to assist towns in updating their Master Plan, North Country Council would be available to serve as a limited, advisory role. Carole Bont said that the best planner to get in touch with for Master Planning would be Tara Bamford.

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Peter Moore asked if the energy committee has received the information from James Steele. Carole Bont said that he had handed out the information at a wind farm presentation and if anyone from Lincoln was at that meeting they would have received the information.

B. Forrest Ridge – Waste Disposal

Charlie Cook removed himself from the discussion because he is an abutter to Betty Beaudin.

David Larson introduced himself and explained that he was invited here at the request of Matt Henry in order to answer questions that were posed at last Planning Board meeting. Chairman Romprey explained that David Larson was here for informational purposes. Matt Henry described that he passed out a plot plan and took photos of the site in question. Matt Henry stated that he found the original site plan from the 1980's that showed the site as a residential structure. A copy of that document was also included in the packet. David Larson said that the approved subdivision plan was dated 1988. David Larson said that there are some subdivision documents that were approved that are registered with the Grafton County Registry of Deeds.

Paul Beaudin said that because this project was a planned phased development, it would have required a submittal of a Master Plan. David Larson & Matt Henry said that they could not find the Master Plan in their files. David Larson said that the dumpsters have been there for about 20 years. Paul Beaudin described how the solid waste site has changed throughout the years. He argued that there has been constant expansion throughout the years as the Forest Ridge development has been expanding. David Larson said that it was listed in the original declaration as "convertible land" which could be built on or not depending on the needs of the developer. However, if the land is not built on in 7 years it automatically is converted back to common land. Chairman Romprey said that any initial use or expansion of the site would have had to come to the Planning Board for site plan review. Forest Ridge is essentially operating a solid waste disposal site on common land which is green area without site plan approval.

MOTION: John Hettinger made a motion to go into open the Public Hearing. Joe Chenard seconded the motion. The motion carried unanimously.

Paul Beaudin agreed and said that his mother has never received an abutter notification for the use or expansion. Charlie Cook (who was speaking in the audience) also verified and described the expansion of the site.

Paul Beaudin explained the issues that his mother described last meeting in their letter of complaint to the Planning Board (see September 8th, 2010 meeting minutes). He also said that the site is certainly a noxious use due to the time the dumpsters are emptied. He said he understands that Forest Ridge wants the site there due to accessibility for Forest Ridge residents. However, if you are an abutter it is not very desirable.

David Larson said that one concrete slab was poured this summer, and they are looking into adding a compactor to lessen the need for dumpsters. Joe Chenard said that originally there was an enclosure around each of the dumpsters, and it was expanded from there. David Larson said that they have been using town's facilities for recycling and try to stay as green as possible.

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Paul Beaudin asked what happens if abutters oppose the Solid Waste facility. Will the Planning Board force them to move the site? Matt Henry said that that is what a Site Plan Review is for, so that abutters are notified and the board can make an informed decision. There was also some discussion regarding whether a Solid Waste disposal site was considered a commercial use. Peter Joseph said that he thinks it should be considered an accessory use to a planned phased development, however, it certainly should have underwent Site Plan Review.

Joe Chenard said that the Solid Waste Site is really a violation because the site was expanded on without proper review. Peter Joseph said that a cease and desist order would take far longer than going through Site Plan Review, therefore, he recommends not conducting a cease and desist. David Larson requested a letter from the Planning Board explaining that there needs to be a Site Plan Review conducted. Pat Romprey asked that the abutters meet with Mr. Larson to attempt to come up with an agreement that is amenable to both sides. Matt Henry said that even if an agreement is reached, it still should go through the Site Plan Review procedure. Chairman Romprey asked David Larson if 30 days was enough time to submit an application. David Larson said he doesn't think it should be a problem.

C. Special Events – Form

Matt Henry explained that special events that have been reviewed by the Planning Board in the past have recently not been required to undergo review as described in the Planning Board Site Plan Review Regulations. He referred to a draft form that had a checklist of items mentioned in the Special Events section of the Site Plan Review Regulations. Tom Adams gave an overview regarding the history of having Special Events review. Minor changes were made to the document including adding a list of vendors to the application. Charlie Cook said that this will make the town aware of exactly who will be at the special event and what kind of food/merchandise the vendors will be selling. It was decided that applicants will not have to apply for a separate vendors permit if they are specifically listed in the Special Event Application. Peter Moore explained what scale a special event would entail. For example, a wedding would not be considered a special event but something that impacts others in town would. Peter Joseph explained that a special event would be a non-approved accessory use that did not go through formal Site Plan Review, and is temporary in nature. The town should be aware of events such as these.

D. Planning Board Deadlines

Matt Henry recommended that the Planning Board alter their application deadlines. He said that in order to satisfy the requirement of RSA 676:4 (c) (1) that says the Planning Board must vote on completeness of the application within 30 days of formal submittal, they should do away with Planning Board deadlines and hear applications as they are turned in. The Planning Board stated that they had never voted on the deadlines and decided that they are fine with not having a deadline so long as it provides enough notice time as required by state statute.

E. Planning Board Protocol Document

Matt Henry explained and read the Planning Board Protocol document to the Planning Board. The Planning Board discussed the three revisions stated in the motion.

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MOTION: Jim Spanos made a motion to approve the document as presented with the following corrections:

- 1) Add “Pursuant to state statute” to #1**
- 2) Delete Line d on #5**
- 3) Delete “Public Hearings are not required for all applications” in the “notes” section.**

Joe Chenard seconded the motion. The motion carried unanimously.

IV. REVIEW AND COMMENT on the MATRIX REPORTS and OPEN FILES pertaining to:

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

V. PUBLIC INPUT on Specific Issues

VI. ADJOURNMENT:

The meeting was adjourned at 7:50pm.

Respectfully submitted,

Matt Henry

Dated: October 13, 2010

Pat Romprey, Chairman