

Town of Lincoln Planning Board – Meeting Minutes
June 22, 2011 – 6:00 pm

Present: Chairman Pat Romprey, Clerk Jim Spanos, Peter Moore (arrived late), John Hettinger, Tom Adams (alternate)

Staff Present: Planning & Zoning Administrator Michele Alexander, Town Manager Peter Joseph

Excused Absences: Charlie Cook (Alternate), Ivan Saitow (Alternate), Deanne Chrystal, Chester Kahn

Others Present: Dennis Ducharme, Marion Malkasian, Alan Malkasian

I. CALL TO ORDER by Chairman Pat Romprey at 6:02 PM

Chair announced Tom Adams as seated alternate.

II. CONSIDERATION of Draft Meeting Minutes for 6/08/11

J.Hettinger noted typo under Public Input.

MOTION: J.Hettinger made a motion to approve the minutes of 6/08/2011 as amended. J.Spanos seconded the motion. The motion carried unanimously (4-0-0).

NEW BUSINESS

I. CONSIDERATION of a Voluntary Lot Merger for the Riverwalk at Loon Mountain project (Tax Map 118 Lots 041, 042, 044 & 45 and Tax Map 119 Lot 02) submitted by Southern Peaks Development, LLC.

Proposal: The applicant seeks to merge Tax Map 118 Lots 041, 042, 044 & 45 and Tax Map 119 Lot 02, as the Lot Merger was previously a condition of approval by the Planning Board.

Planning Board: Acceptance and approval of the completed Lot Merger application.

Chair noted only four PB members were present and asked the applicant, Dennis Ducharme, if he would like to proceed with the hearing this evening. D.Ducharme elected to proceed.

M.Alexander, staff, indicated the application was complete.

MOTION: T.Adams made a motion to accept the application as complete. J.Spanos seconded the motion. The motion carried unanimously (4-0-0).

D.Ducharme, owner, Southern Peaks Development, LLC, presented the application and the surveyed plan to the Board. An issue with the incorrect property owner listed on the Town tax maps had been resolved prior to the meeting he noted, and staff confirmed.

P.Moore arrived and was seated by the Chair.

The Board reviewed the surveyed plan.

J.Hettinger inquired why the boundary line was not to the center line of the river. P.Joseph noted that in the deed the metes and bounds did not indicate the center line as the boundary.

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MOTION: J.Hettinger made a motion to approve the application. J.Spanos seconded the motion. The motion carried unanimously (5-0-0).

II. CONSIDERATION of an extension of Planning Board site plan approval for the Riverwalk at Loon Mountain project (Tax Map 118 Lots 041, 042, 044 & 45 and Tax Map 119 Lot 02) submitted by Southern Peaks Development, LLC..

- a. Proposal:** The applicant seeks an extension on the site plan approval dated January 28, 2009.
- b. Planning Board:** Acceptance and review of the completed application to extend Planning Board.
- c. Public Hearing:** Approve or Disapprove the extension on the site plan approval.

M.Alexander stated that the application was complete.

MOTION: J.Hettinger made a motion to accept the application as complete. J.Spanos seconded the motion. The motion carried unanimously (5-0-0).

D.Ducharme, owner, Southern Peaks Development, LLC, presented the application to the Board.

The Chair announced that following the Planning Board approval of the site plan with conditions of approval in a Planning Board meeting on January 28, 2009 the applicant had not been duly notified of the decision with conditions of approval due to an administrative error, and therefore was not aware of extension request requirements. He noted that as the applicant was not at fault, the Board should consider approval of the extension request, despite the lapse in requesting the extension within the one year timeframe after approval.

P.Joseph indicated that the Voluntary Lot Merger just approved by the Planning Board had been a condition of approval, which was satisfied by the decision of the Board this evening.

M.Alexander indicated that staff recommends approval of the extension for the site plan reviewed with the remaining original administrative condition subsequent to be met prior to issuance of a Building Permit:

1. The applicant shall obtain all applicable State and Federal permits and plan approvals and provide copies to the Town of Lincoln, including the Alteration of Terrain permit must be obtained from NHDES and documentation provided to the Town of Lincoln. Should significant changes occur due to NHDES review for the Alteration of Terrain permit, additional review by the Town's Engineer is required.

Public Hearing Opened

Marion Malkasian, representative of the Links Homeowners Association, spoke. She asked about plans for the sewer lines in the project. D.Ducharme answered that the sewer line would connect with the Main Street sewer lines.

M.Malkasian indicated that she thought that Franconia Investments owned a section of the property. D.Ducharme said that in 2003 he purchased 10 acres, and in 2007 purchased the back section and some small lots.

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M.Malkasian asked if the run-off from the developed land would drain into the river. D.Ducharme replied that it would be engineered as a closed drainage system, and will meet all local, state and federal requirements. T.Adams noted that as part of the previous site plan review all drainage systems had been reviewed by the Board, staff and engineers.

Public Hearing Closed.

MOTION: T.Adams made a motion to approve the application with the administrative condition. J.Hettinger seconded the motion. The motion carried unanimously (5-0-0).

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

The Chair recused himself, and sat with the members of the public.

- A. The Board asked staff for an update on the complaints received regarding signage at Nachos Mexican grill located at 179 Main Street. M.Alexander explained she had met with the owner, Doug Hayward, at his location and requested he move the portable sign off the public right-of way, and repair the shoulder of the sidewalk which he had dug out for post holes. The owner had complied. She explained that following another complaint regarding lighting she had recently observed the site in the evening, and noted that the colored lighting installed under the eaves on the front of the building and string lighting had not been included on the original site plan, however they did not appear to cast light on neighboring properties. The lighting style, she noted, did not fit with the purpose of Town Site and Building Design requirements of promoting a Northern New England village historic character.
- B. The Board asked staff for an update on the Forest Ridge compactor location. M.Alexander explained that the Property Manager, David Larsen, had requested an extension for emptying the compactor and staff had visited the site and noted no obnoxious odor in the area surrounding the compactor. The Board asked if the fencing had been installed. M.Alexander noted that when she visited the area she noted that it had been staked, presumably by the fence company, but the June 15th deadline for installation had passed, and she had contacted David Larsen to inquire the expected timeline for installation. M.Alexander stated that he indicated it would be completed in the next few weeks. The Board requested to know the expected date, and staff, not having that information directly on hand, indicated she would follow-up to provide the date from D.Larsen's email and an update to the Board at the next meeting.

VIII. 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

The Board discussed the new Clark's Trading Post sign, and agreed it was designed attractively.

IX. PUBLIC INPUT on Specific Issues

- A. P.Romprey asked staff to address the sumac ground cover behind Nachos American Grill, and the maintenance of the fence as required as part of the original site plan approval. M.Alexander stated she would follow-up with the property owner.

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- B. The Malkasians provided input to the Board that it was increasingly difficult on summer weekends to enter Main Street from Cooper Avenue and inquired if a light would be installed. P.Romprey explained that traffic counts dictate when lights may be required at intersections. P.Moore explained that the Town plan is to have officers provide traffic control as needed on busy weekends. P.Joseph explained this was preferable to impeding traffic flow with stop lights throughout the year, when there is fluctuation in traffic, at times, little traffic. He also noted that when the new resort approved tonight was built, it would warrant a review of the need for a traffic light at that intersection.

X. ADJOURNMENT:

MOTION: T.Adams made a motion to adjourn the meeting. J.Hettinger seconded the motion. The motion carried unanimously (4-0-0).

The meeting was adjourned by the Chair at 6:42 pm.

Dated: June 23, 2011

Pat Romprey, Chairman