

APPROVED

**Lincoln Planning Board
Public Hearing & Meeting
Wednesday, January 20, 2021– 6:00 PM
Lincoln Town Hall - 148 Main Street, Lincoln NH 03251**

Due to the current COVID-19 situation, and to a recent staff exposure to COVID-19, the Town Office is closed to the public. This meeting will be available only via the Zoom Meeting Platform to allow for town wide participation. The public is encouraged to participate remotely using ZOOM by going to:

Join Zoom Meeting

<https://us02web.zoom.us/j/84239635194?pwd=TjJBc1g1RDV0U1c2QVdPWVFLcXUzQT09>

Meeting ID: 842 3963 5194

Passcode: 352729

Or dial by your location 1-929-205-6099 US (New York)

(See also town website www.lincolnnh.org for the same link, meeting ID and passcode.)

Present: Chairman James Spanos, Vice Chairman Joe Chenard, Member Steve Noseworthy, Board of Selectmen's Representative O.J. Robinson, and Mark Ehrman.

Members Excused: Alternate Paul Beaudin.

Staff Present: Town Planner Carole Bont, Town Manager Alfred Burbank, Fire Chief & Code Enforcement Officer/Health Officer/ZOOM Host & Moderator Ronald R. (Ron) Beard, and Town Engineer Ray Korber.

Town Consultants:

- **Town Engineer Raymond H. Korber P. E.**, KV Partners LLC, PO Box 7721, Gilford, NH 03249-7721 (via ZOOM)
- **Town Attorney Peter J. Malia, Jr.**, Hastings Malia Law Office, P.A., 376 Main Street, PO Box 290, Fryeburg, ME 04037-0290 (via ZOOM)

Guests:

- **Richard (Rick) Elliott**, nonresident, **(APPLICANT/PROPERTY OWNER)** Developer of Forest Ridge Resort, d/b/a Mount Coolidge Construction, LLC with Jared Elliott, and Manager of Mount Coolidge Construction, LLC of 3 Amalia Drive, Nashua, NH 03063 and owner of:

Woodland Loop Land Only – Map 114, Lot 080 (Common Areas)

and d/b/a (ABUTTER) NEWCO, LLC of 3 Amalia Drive, Nashua, NH 03063 and owner of:

Woodland Loop – Master Lot – Map 115, Lot 003-000-CL-00000

2 Forest Ridge #Parcel – Map 114, Lot 076-000-CL-00000

Woodland Loop – Map 114, Lot 077-000-CL-00000

Woodland Loop – Map 114, Lot 078-000-00-00000

Parcel 2 Forest Ridge (13.52 Acres) – Map 114, Lot 079-000-CL-00000

Woodland Loop – Map 114, Lot 081-000-CL-00000

2 Forest Ridge #Parcel – Map 114, Lot 082-000-CL-00000
123B Woodland Loop – Map 114, Lot 082-000-02-00041
123A Woodland Loop – Map 114, Lot 082-000-02-00042
121B Woodland Loop – Map 114, Lot 082-000-03-00043
121A Woodland Loop – Map 114, Lot 082-000-03-00044
119B Woodland Loop – Map 114, Lot 082-000-04-00045
119A Woodland Loop – Map 114, Lot 082-000-04-00046
111B Woodland Loop – Map 114, Lot 082-000-08-00053
111A Woodland Loop – Map 114, Lot 082-000-08-00054

I. CALL TO ORDER by the Chairman of Planning Board (PB); announcement of excused absences, if any, and seating of alternates(s), if necessary.

II. CONTINUING AND OTHER BUSINESS (Staff and Planning Board Member/Alternates).

SPR 2020-11 M114 L080 Mt Coolidge Cn LLC - The Pines Detention Ponds Site Plan Review Status Update Applicant/Developer/Property Owner requesting a site visit to inspect the rebuilt detention area at the Pines. Applicant signed an escrow agreement.

Property: The Pines at Forest Ridge

(Map 114, Lot 080)

Property is located in the Rural Residential (RR) District.

Project:

Modification of the Site Plan Review approval for The Pines at Forest Ridge which included ponds associated with Stormwater Management to convert a micro-extended detention basin and infiltration basin (dry pond) into a wet pond near Building 1 on Lincoln Tax Map 114, Lot 080. Mount Coolidge Construction applied for and received (on April 24, 2020) an Alteration of Terrain (AoT) permit from New Hampshire Department of Environmental Services (NHDES) for the modification of the existing micro-extended detention pond (MPI) and infiltration basin (INFI) to a wet pond. The modifications do not propose any additional impervious area to the existing AoT 1445 (expired), and will disturb approximately 15,000 square feet.

NOTICE OF DECISION

APPROVAL GRANTED WITH CONDITIONS:

On July 22, 2020, the Planning Board GRANTED the Application for Modification of the Site Plan Review approval for "The Pines at Forest Ridge" with the FOLLOWING CONDITIONS:

- 1. The Owner/Applicant shall provide bonding which is payable to the Town for all on-site improvements (i.e., the construction, drainage and associated site work), in order to ensure that the Owner/Applicant will complete all site work in accordance with the plans. In the event the bond is called by the Town, the Planning Board shall schedule and hold a public hearing to consider revocation of the Site Plan Approval per RSA 676:4-a. No further work may proceed on site, and no further Land Use Authorization Permits shall issue without Planning Board approval in the event the bond is called and the above-referenced revocation proceedings are initiated. The amount of the bond shall be based on the Owner/Applicant's engineer's estimate of construction costs for the project which includes a 15% contingency, which equals a total of \$82,167.00. The applicant can request release of the bond once all conditions have been met from the Planning Board. The bond shall be released at the discretion of the Planning Board after a public hearing.*
- 2. A maintenance bond of \$35,000 shall be provided. Once the detention ponds have been constructed in accordance with the approved plans, the maintenance and operation of the ponds and associated stormwater management features shall be the responsibility of The Pines at Forest Ridge Condominium Association ("The Pines CA"). See letter from Richard K. Elliott, President of the Pines CA, to Carole Bont and the Lincoln Planning Board dated July 6, 2020. Maintenance and operations shall be in accordance with the approved Stormwater Inspection and Maintenance Manual for The Pines at Forest Ridge ("Inspection and Maintenance Manual"). In the event that The Pines CA lacks proper authority to take on the responsibility and exercise the power necessary to maintain and operate the ponds; then, unless and until such time as the Pines CA does have all necessary authority, the declarant ("MMC"), its successors or assigns shall be fully responsible for the maintenance and operation of the ponds. There shall be a bond so long as MCCC is responsible for the maintenance and operation of the ponds.*
- 3. The project shall be completed by November 30, 2020.*

Although the deadline to complete the ponds was November 30th and the ponds were well under way on that date, the ponds and the ponds' landscaping were still not "substantially complete" as of December 9, 2020. Mr. Elliot stated his intention was to purchase and position sod now so that the sod will germinate in the early spring. Furthermore, riprap and sod will be installed "as appropriate" down to the waterline. Mr. Elliot stated substantial completion would be done by the end of the next week (December 18th). Town Manager was expressed concern about the steepness of the incline down to the ponds and was concerned for life safety. Mr. Elliot stated that additional sloping would be done to create less of an incline into the ponds.

The Board planned to conduct a site visit prior to the next hearing set for January 20, 2021.

Elliott d/b/a Mount Coolidge Construction requested an extension and a public hearing on December 9, 2021. The hearing was continued to January 20, 2021 at 6:00 PM. Due to COVID-19, individual members of the Planning Board will visit the site separately prior to the meeting. Members of the public are invited to do the same.

Presentation:

Applicant Rick Elliot updated the Board on the status of the pond. He informed the Board that the pond is substantially complete with a couple of exceptions.

Completed:

- (1) The rebuilding of the forebay that enters the pond;
- (2) The removal of the dry pond area;
- (3) The expansion of the depth to plan specifications;
- (4) The installation of a four-inch (4") pipe to control the water height; and
- (5) Preparation of the "As-Built" Plans.

Not Complete: Applicant Elliot explained that the two (2) 20-inch (20") outfalls have **not** been raised up three inches (3") yet per the plan.

There are three (3) exits from the detention area.

- (1) A new four-inch (4") outfall that controls the level of the pond that has been built;
- (2) An existing double twenty-four-inch (24") outlet with the stone headwall that was the original exit from the pond; and
- (3) A new overflow spillway that has been built.

Applicant Elliott was concerned about the twin outlets. One of the outlets is three inches (3") and the other is five inches (5"). He explained that he did not do the raise the two outfalls yet as he believes the area is not yet vegetated enough to keep the soils from running off into the stream during the spring rains. For the time being he is going to place a pressure treated 2"x12" in front of the outfalls so that the elevation is correct. After the spring runoff Applicant Elliott will raise those two (2) culverts up three inches (3").

Applicant Elliot said he is not asking the Board for a site visit or a release of funds until the project is complete and the engineer can sign off on the plan.

Vice Chair Chenard questioned how the pond held up during the most recent heavy rain event. Fire Chief Beard stated that he did a site visit at that time and the pond held up well with no overflow. All water was running out of the four-inch (4") pipe and never reached the outflows. Chairman Chenard stated that this is what he observed as well.

Town Engineer Ray Korber reiterated that Mr. Elliot's plans to install temporary stop blocks to the twin culverts until Spring when he will reconstruct the culverts to the correct elevations to match the approved plans sound reasonable to him.

Vice Chair Chenard brought up the installation of a fence around the pond to keep young children out of harm's way. Mr. Elliot stated that when he installs a sidewalk in the Spring, he will add vegetation to act as a barrier but is happy to do as the Board wishes.

The Board will revisit this at their site visit.

MOTION: "To open the hearing to public comment."

Motion: Member Robinson

Second: Member Ehrman

Motion carries.

There was no public input at this time.

MOTION: "To open the hearing to public comment."

Motion: Vice Chair Chenard

Second: Member Robinson

Motion carries.

Chairman Spanos questioned when Mr. Elliot plans to have the project completed. Mr. Elliot would like to get through the spring rains before he completes it.

The Board continued the hearing until April 28, 2021.

MOTION: "To continue the hearing until April 28, 2021 at 6:00pm."

Motion: Member Robinson

Second: Member Ehrman Motion carries.

III. ADJOURNMENT

With no other business to attend to, the following motion was made.

MOTION: "To adjourn the meeting at 6:15pm"

Motion: Vice Chair Chenard

Second: Member Robinson

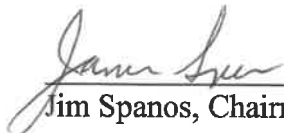
Motion carries.

Respectfully submitted,

Brook Rose

Recording Secretary

Date Approved: February 24, 2021



Jim Spanos, Chairman

