

**APPROVED**

**Lincoln Planning Board  
Public Hearing & Meeting  
Wednesday, January 6, 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=TjJBc1g1RDV0U1c2QVdPWVFLeXUzQT09>**

**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](http://www.lincolnnh.org) for the same link, meeting ID and passcode.)

Meeting video is available via YOUTUBE immediately following the meeting.

**Present:** Chair Jim Spanos (except for cell tower meeting), Vice Chairman Joseph Chenard, Board of Selectmen's Representative O.J. Robinson (except for cell tower meeting), Member Steve Noseworthy, Member Mark Ehrman and Alternate Paul Beaudin. Alternate Board of Selectmen's Representative Tamra Ham (for cell tower meeting only). (All attendees were present via ZOOM.)

**Members Absent:** None

**Staff Present:** Fire Chief & Code Enforcement Officer/Health Officer Ronald R. (Ron) Beard, Finance/Planning Assistant Lisa Peluso (for cell tower meeting), and Town Planner Carole Bont (except for cell tower meeting).

**Town Consultants:**

- **Town Engineer Raymond H. Korber P. E.**, KV Partners LLC, PO Box 7721, Gilford, NH 03249-7721 (via ZOOM)
- **Town Attorney Peter Malia**, Hastings Malia Law Office, P.A., 376 Main Street, PO Box 290, Fryeburg, ME 04037-0290 (via ZOOM)
- **Ivan Pagacik**, nonresident, Telecommunications Expert for the Town and President of IDK Communications, 123 Whitcomb Ave., Littleton, MA 01460 (via ZOOM)

**Guests:**

- **Susanne (Susan) A. Chenard**, resident of 11 Liberty Road, Lincoln NH 03251 (Map 107, Lot 061) and Realtor for Loon Reservation Service, 264 Main Street, Suite 12, PO Box 785, Lincoln, NH 03251-0785, and owner of 19 Maple Street (Map 118, Lot 069). Alternate member of the Zoning Board of Adjustment (via ZOOM).
- **Peter Cooke**, nonresident, (APPLICANT'S CONSULTANT) President of Wellman Associates, Inc., 117 North Main Street, Wolfeboro, NH, 03894 (via ZOOM)

- **Jayne S. Ludwig**, resident, 12 Pleasant Street, Lincoln, NH 03251 (Map 113, Lot 092) and Member of the Board of Selectman (via ZOOM).
- **Kevin Mason**, nonresident, (APPLICANT'S CONSULTANT) Senior Project Manager at SAI Communications, Consultant for AT&T New Site Build and FirstNet – New England Area, 12 Industrial Way, Salem, NH 03079 (via ZOOM)
- **Charyl Reardon**, nonresident, (DRI ABUTTER), President of White Mountains Attractions Association, 200 Kancamagus Highway PO Box 10, North Woodstock, NH 03262 representing the entire White Mountains region, also Selectman for the Town of Woodstock, NH, Woodstock Town Office, 165 Lost River Rd, PO Box 156, North Woodstock, NH 03262-0156 (via ZOOM).
- **Orrin J. Robinson (aka OJ Robinson)**, resident, and co-owner with Randall R. Thomas of 83 Hanson Farm Road (Map 105, Lot 026), Lincoln, NH 03251, and of 65 Hanson Farm Road, Map 105, Lot 012 and Cloud 9 Properties, LLC that owns 72 Hanson Farm Road (Map 105, Lot 014), and NLI, Inc., that owns (1) 481 US Route 3 (Map 105, Lot 027), (2) 43 Main Street – House (Map 112, Lot 053), (3) Whales Tale and 45 Main Street (Map 112, Lot 054), (4) 41 Main Street – Alpine Adventures (Map 112, Lot 052) and Chair of the Board of Selectmen and Selectmen's Representative to the Planning Board (recused for cell tower hearing only) (via ZOOM).
- **James Spanos**, resident, at Mountaineer Motel, 374 US Route 3, Lincoln, NH 03251 and Chair of the Planning Board (recused for cell tower hearing only) (via ZOOM).
- **Peter Spanos**, resident, (ABUTTER) 3 Waterwheel Road (Mail: Indian Head Resort, 664 US Route 3, Lincoln, NH 03251), (via ZOOM using Maria Spanos' computer connection) owner and operator of Indian Head Resort, 664 US Route 3, Lincoln NH 03251 d/b/a Indian Profile Corporation owned by (Map 102, Lot 008) (via ZOOM) and also owns:  
  - owner of US Route 3 #LO (Map 103, Lot 006); and
  - owner of US Route 3 (Map 103, Lot 005).
- **Attorney Jonathan S. Springer**, nonresident, Springer Law Office, 118 Maplewood Ave # C-1, Portsmouth, NH 03801 (**ATTORNEY for and AGENT for SITE PLAN REVIEW APPLICANT**) Green Mountain Realty, Inc., Contact: Victor R Drouin, 702 Riverwood Dr., Pembroke, NH 01949 and Applicant Green Mountain Communications, Inc., Victor Drouin, President, 702 Riverwood Drive, Pembroke, NH 03275 (via ZOOM)
- **Kaela Gray Tavares**, nonresident, Community & Economic Development Planner, North Country Council Inc., Mt. Eustis Commons, 262 Cottage Street, Suite 246, Littleton, NH 03561 (via ZOOM).
- **Matt Tilden**, nonresident, (APPLICANT'S ENGINEER) Telecommunications Engineer, Dewberry Engineering 99 Summer Street, Suite 700, Boston, MA 02110-1200.

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

**MOTION: “To skip over the meeting minutes and move right to Continuing and Other Business specifically GMR Holdings LLC.”**

**Motion: OJ Robinson      Second: Paul Beaudin      All in favor.**

*At this time OJ Robinson and James Spanos recuse themselves and Alternates Tamra Ham and Paul Beaudin are seated. Vice Chair Joe Chenard took over as Chair.*

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## **II. CONTINUING AND OTHER BUSINESS**

### **SPR 2020-04 M102 L005 Greenside Ink – GMR Holdings of NH, LLC - Cell Tower**

Application for Site Plan Review Approval for proposed 120-foot-high telecommunications cell tower under Land Use Plan Ordinance Article VI-A Telecommunications Equipment and Facilities has been filed by:

**Agent Attorney Jonathan Springer**  
Springer Law Office, PLLC  
on behalf of

**Applicant GMR Holdings of NH, LLC**  
Pembroke, NH 03275

**Property Owner Donald Landry d/b/a Greenside Ink, LLC**  
**Property:**

749 US Route 3, Lincoln, NH (Map 102, Lot 005). General Use (GU) Zoning District

**Proposed Project:** Project includes construction of a 120-foot-tall monopole tower within a 40’X40’X38’X52’4” fenced compound. The compound will be within a parking lot of a landscaping business and adjacent to a building located at 749 US Route 3 (Tax Map 126 Lot 020). The structures will be in the General Use (GU) District. Property is approximately 1.06 acres in size and is a triangular shape between the 34A exit ramp off Interstate Route 93 (I-93 North) and US Route 3. The property is owned by Greenside Ink, LLC. Property is currently used by the owner to operate a landscape business.

In addition to Site Plan Review approval, applicant is seeking a Conditional Use Permit pursuant to Article IV-A, Section F (4) to increase the allowed height of 100 feet to 120 feet.

The Applicant is also seeking the following waivers:

1. From Article VI-4, Section H (4)(a)(i), which states that “Towers shall be located within the tower lot as to provide a fall zone free of any structures equal to 125% of the height of the tower.”
2. From Site Plan Review Regulation Article XIV (23)(d), which requires engineering calculations used to determine drainage requirements.
3. From Article VI-A, Section J (as a condition of acceptance only; the Planning Board shall require the applicant to post adequate surety for the costs of maintenance, remit repair or removal thereof. The amount informed of the surety shall be determined by the Planning Board.)

**MOTION: “To open the public hearing.”**

**Motion: Tamra Ham                      Second: Mark Ehrman                      All in favor.**

Resident Peter Spanos questioned whether the Planning Board received the photos the Spanos family members submitted. Chairman Chenard stated that the Spanos photos were included in the Planning Board meeting packets. The Planning Board reviewed the photos. Mr. Spanos is concerned guests will not want to drive through “The [Franconia] Notch” with the cell tower there.

**MOTION: “To close the public hearing.”**

**Motion: Paul Beaudin                      Second: Tamra Ham                      All in favor.**

**MOTION: “To re-open the public hearing.”**

**Motion: Mark Ehrman                      Second: Paul Beaudin                      All in favor.**

Resident Jayne Ludwig stated that she has travelled through “The [Franconia] Notch” for thirty (30) years to her place of employment. She is upset that the Town has no real say over the cell tower being installed in the proposed location. She believes tourists want to see a pristine area and that having a cell tower here is heartbreaking and unnecessary. Further, she stated that it is unfair that the Town has no say in what it looks like and what the Town should or should not have. She stated that the Spanos family have been long time residents and business owners in the same location abutting “The [Franconia] Notch” for as long she remembers. She feels that the Town should consider what they have to say. She added that if people get lost in the woods without a cellphone, they should not be hiking in the woods and that it is not necessary to hike with a cellphone.

Applicant’s Attorney Springer responded to Ms. Ludwig’s comments by saying that it is the Town of Lincoln that has decided where cell towers should be installed. It is in the Town’s Land Use Plan Ordinance (LUPO). A telecommunications tower is a permitted use in a permitted zone. He added that the purpose of the cell tower is not for hikers.

Town Attorney Malia stated that the Town of Lincoln does have a say in the placement of the tower. A telecommunications tower is a permitted use in the General Use (GU) District as long as it goes through the Site Plan Review process.

Town Attorney Malia explained the process and cell tower federal protections to Ms. Ludwig.

**MOTION: “To close the public hearing.”**

**Motion: Tamra Ham                      Second: Paul Beaudin                      All in favor.**

The Planning Board reviewed the Applicant’s request for Conditional Use Permit.

**MOTION: “That the intent of this ordinance be preserved with a height increase of the proposed tower to 120 feet.”**

**Motion: Tamra Ham**

**Second: Joe Chenard**

Member Tamra Ham stated that with the proposed height increase, the placement of the base of the tower will be located at a lower elevation. If the Board does not approve the height request, the tower will be moved further up on the hill and many trees will have to be cut down to accommodate the tower placement. She stated that either way the one hundred twenty feet (120') of elevation will be achieved. She does not see why the Planning Board would not allow the applicant the additional twenty feet (20').

Member Paul Beaudin stated that he does not believe allowing the proposed cell tower to go from one hundred feet (100') to one hundred twenty feet (120') will preserve the intent of the LUPO. In addition, allowing the increase in height does not promote the safety and welfare of the buildings located within the fall zone of the proposed tower. Further, although the applicant indicated a telecommunications tower is a permitted use in the General Use district, Member Beaudin does not believe that it is a foregone conclusion that the proposed cell tower should be moved to the top of the knoll.

Member Steve Noseworthy agreed and stated that the LUPO has a one-hundred-foot (100') height limit for a reason.

Member Mark Ehrman stated that he would like to see an engineer's opinion with respect to the proposed site. He is not as concerned about the fall zone as a staid monopole tower which is properly erected and designed would pose negligible risk to surrounding buildings. Member Ehrman's guess is that the additional twenty feet (20') will not be visually substantial.

Applicant's Attorney Springer stated that reducing the pole from one hundred twenty feet (120') to one hundred feet (100') would affect the coverage, but would not change the fall zone issue. Further, he stated that the LUPO does say that applicants must try to save as many trees as possible which is what they are trying to do. They could have presented an application for a one-hundred-foot (100') tower on top of the knoll, but they are trying to save the trees in accordance with the stated intent of the LUPO. Further discussion ensued.

Applicant's Consultant Peter Cooke stated that he understands some of the concerns expressed about the fall zone, however one of the major reasons they have moved the tower location is that current location is on the back side of the hill with an abutting house immediately to the south whose property would be much more impacted by the loss of the tree height than the exact location of the fall zone from his property. This abutting resident has expressed to the applicant that he much prefers the location of the tower where it is being proposed rather than on top of the hill because of the potential loss to his property.

Further discussion on the intent of the ordinance ensued. Member Beaudin reiterated that it is difficult to discuss what the tower on top of the knoll would look like exactly as there are no plans that show this. It would be helpful to the Planning Board to have plans that include a site comparison.

Chairman Chenard stated that the topsoil on the knoll does not provide a stable bank and the trees will likely come down at some point anyway as collectively their root system is only 6-8 inches deep.

**OUTSTANDING MOTION: "That the intent of this ordinance be preserved with a height increase of the proposed tower to 120 feet."**

**Chairman Chenard calls for a vote on the proposed motion.**

**Tamra Ham and Chairman Chenard vote in favor.**

**Mark Ehrman is opposed as he does not feel they have all of the information needed for a true vote.**

**Members Beaudin and Noseworthy vote nay. Motion fails 3 to 2.**

**MOTION: "That a modification (the additional 20ft) is reasonably necessary and appropriate to further the purpose of this article."**

**Motion: Tamra Ham                      Second: Joe Chenard**

Member Beaudin stated that this modification is not reasonably necessary.

**Members Beaudin, Ehrman, and Noseworthy voted nay**

**Members Ham and Chenard vote in favor. Motion fails 3 to 2.**

**MOTION: "That a modification is necessary to allow for the provision of telecommunications service in the area of the community affected."**

**Motion: Tamra Ham                      Second: Joe Chenard**

The Applicant provides that a modification is necessary here to allow for the provisions of telecommunications in this area. The required additional height has little if any impact on any aesthetics or other concerns, however it will provide AT&T the ability to provide RF coverage to a significant gap in coverage and will allow additional co-locaters to use this facility as well.

Member Beaudin stated that throughout these meetings members of the general public have expressed a great deal of concern as to the aesthetics of the proposed tower location. Further, the FCC does allow for gaps and dead zones. Therefore, there is no need to allow a conditional use permit to increase the proposed cell tower from one hundred feet (100') in elevation to one hundred twenty feet (120') in elevation. The modification is not necessary. Member Beaudin stated that the Planning Board has a responsibility to listen the residents who have taken a lot of time to participate in these meetings, many of whom are longtime residents.

At this time, Selectmen's Representative Ham read NH Director of Parks and Recreation, Philip Bryce's, written comments into the record. Mr. Bryce commented that during the balloon test, it was noted that there was clear visibility of the proposed cell tower just south of the Flume Gorge exit and he urged the Planning Board to give consideration to the visual impact of the proposed cell tower on visitors headed into one of the highest ranked state parks in the U.S.

**OUTSTANDING MOTION: "That a modification is necessary to allow for the provision of telecommunications service in the area of the community affected."**

**Members Beaudin, Ehrman, and Noseworthy voted nay.**

**Member Ham voted in favor and Member Chenard abstained. Motion fails 3 to 1.**

Member Ehrman commented that he does recognize the economic reasons and various other reasons for wanting to have the cell tower and he agrees with them. He stated that he would like to have a cell tower that provides service to this location as well. However, the way the Applicant presented the application to the Planning Board, the Applicant did not transparently compare the alternatives in a fashion that the Planning Board could use to compare those alternatives to see if there were better options and solutions to preserve the aesthetics of the area as well as to serve the interests of both the Applicant and those who want increased cell service. There has got to be a way to do both and to preserve the aesthetics of the area. He stated that the Planning Board should strive to find the solution that is better for all parties and this is why he voted against the proposal as it stands.

Member Ham stated that the Planning Board finds against the applicant on all three (3) of the conditional use permit motions thus the Applicant's request for the 120ft tower has been denied.

Member Ham read the waivers into the record and made the following motion:

**MOTION: "To grant a waiver of Article 14 23d of the Lincoln Site Plan Review Regulations."**

**Motion: Tamra Ham                      Second: Paul Beaudin**

Discussion followed. **Tamra Ham withdrew her motion and Paul Beaudin withdrew his second.**

**MOTION: "To pass over waiver request number one as the applicant has requested it."**

**Motion: Paul Beaudin                      Second: Tamra Ham**

Attorney Malia noted that the applicant has withdrawn this request and proposed a condition of approval and the Planning Board has accepted the applicant's proposal.

**All in favor, motion carries.**

**MOTION: "That strict adherence to the requirements of the 125 percent fall zone requirement is not required to effectuate the purposes of the ordinance."**

**Motion: Tamra Ham                      Second: Joe Chenard**

Town Attorney Malia stated that the Applicant still needs this waiver as their commercial building is within the one hundred twenty-five-foot (125') radius for the proposed cell tower.

### **Discussion re: Indemnification:**

Member Ehrman would like to require an indemnification for the Town and any third parties from the parties requesting the waiver so that there is no contingent liability transfer to the Town or any other parties that might be injured by a failure and fall of this proposed cell tower. Town Attorney Malia agreed that such a hold harmless agreement in exchange for waiving this requirement seems appropriate as a condition of approval.

Member Beaudin stated that he brought up such an agreement at a previous cell tower meeting and was told that the Applicant would not agree to this.

Applicant's Attorney Springer commented that the Applicant was never asked to provide such a policy. Further, he stated that if the Planning Board could indicate where in the [Land Use Plan] Ordinance it says an indemnification policy is required, the Applicant would consider it. He stated that the Planning Board is asking for something that is not required by the law or the Town's Land Use Plan Ordinance (LUPO). He added that for the Planning Board to ask for such a condition now when it is pretty clear where this hearing is going is unfair. He stated that at this time the Applicant would not voluntarily provide this.

Member Beaudin stated that the fall zone provision was put in place in the LUPO to protect life and property. He added that the Town is not anti-cell tower and that if Attorney Springer would look around, he would find that there are several cell towers in Town that have complied with the intent of ordinance. Member Beaudin stated that the ordinances of this Town, which the people have voted on, stand.

Town Attorney Malia reiterated to the Planning Board that there is very little liability to the Town after the many deliberations and public hearings that have been held. That being said, the Planning Board has the right to impose a condition if they deem it appropriate. Member Beaudin stated that taking the chance of a tower falling in a fall zone is not an acceptable risk that he is willing to take.

**Motion fails as the vote is a unanimous nay.**

**MOTION: "That strict compliance with the 125-foot fall zone requirement would create practical difficulty and unnecessary inconvenience."**

**Motion: Tamra Ham                      Second: Joe Chenard**

Discussion ensued.

**Joe Chenard votes in favor and motion fails as the rest of the Board voted nay.**

**MOTION: "That strict compliance with the 125 percent fall zone requirement could potentially cause a conflict with the Telecommunications Act of 1996 and FCC regulations promulgated there under."**

**Motion: Tamra Ham                      Second: Paul Beaudin**

Town Attorney Malia stated that the applicant's comments in the project narrative about this requirement state that the intent of the FCC regulations and Telecommunications Act are to remove barriers to the zoning and construction of these types of facilities and the strict compliance to the fall zone here would create such a barrier.

Member Ehrman stated that the fact that the Planning Board has to make such a motion is an indication that the Town is in a position to stipulate something that is well beyond the Planning Board's competency. Member Ham and Town Attorney Malia were in agreement. Further discussion ensued.

**Member Beaudin and Chairman Chenard voted yea. Member Ham abstained and Member Noseworthy and Member Ehrman voted nay. Motion fails.**

The Planning Board considered the criteria set forth in Article 6A Section I 3 which are the factors to be considered for a decision on a telecommunications tower application. Tamra Ham read the remaining criteria into the record.

**A. The height of the tower;**

*The Board has already denied the conditional use permit for the 120-foot tower.*

**B. The proximity of the tower to residential developments or zones;**

*The Board denied the fall zone waiver.*

**C. The nature of uses on adjacent and nearby properties;**

*Previously discussed by the Board.*

**D. The surrounding topography;**

*Previously discussed by the Board.*

**E. Surrounding tree coverage and foliage;**

*Previously discussed by the Board.*

**F. Design of the tower with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;**

*If the applicant does wish to apply for a 100-foot tower, that the possibility of a monopine as an option be considered.*

**G. Ingress and egress to the site;**

*Previously discussed by the Board.*

**H. Availability of suitable existing towers and other structures;**

*Member Ham stated that there is no tower to cover that particular area. The possibility of roaming was discussed. Ivan Pagacik stated that roaming does not provide coverage for the applicant's service. The town would be forcing them to utilize another carrier's service which is not addressed in the Telecommunications Act.*

**I. Visual impacts on viewsheds, ridgelines and other impacts by means of tower location, tree and foliage clearing and placement of incidental structures;**

*Previously discussed by the Board.*

**J. The availability of alternative tower structures and alternative sighting locations; and**

*Member Beaudin would like to see the Applicant provide written documentation from either the State of NH or the National Forest Service that would demonstrate why the lands are not available. In the Alternative Siting Analysis from August 2020, Peter Cook stated that those properties are generally unavailable for lease. Member Beaudin stated that there are many sites that could possibly be utilized within the state or national forest lands. He would like to hear from those entities as to why/why not the applicant cannot consider those lands.*

**K. Compliance with the Stormwater Management Ordinance.**

*Previously discussed by the Board.*

**MOTION: "To approve the application for site plan review submitted by GMR Holdings of NH, LLC for a wireless service facility located at 749 US Route 3."**

**Motion: Member Ham      Second: Member Beaudin**

As the Board has rejected most of the requests of the Applicant on this application, Member Beaudin questioned whether the applicant wished to withdraw the application and resubmit for a 100-foot tower. Attorney Springer stated that he did not.

**Motion fails unanimously.**

The hearing concluded. O.J. Robinson rejoined the meeting and questioned who was going to draft the Notice of Decision and asked what points were going to be given as reasons for denial because not all of the board members expressed reasons for denial, and suggested that the Board consider voting on each of the criteria that they had just discussed. A discussion ensued regarding O.J.'s suggestion. Attorney Springer, who had exited the zoom call, rejoined because he said that his client had contacted him to let him know that the Board was continuing to discuss the case. Attorney Springer strongly objected to any further discussion of the case, because he argued that the Board had concluded its deliberations. A discussion ensued, and the Board agreed

that they had in fact concluded their deliberations. The Board refused to take any further action and ended the hearing in relation to this applicant.

Attorney Malia clarified that he will draft a Notice of Decision which is based on the denial of the conditional use permit and the fall zone waiver.

*At this time Member Tamra Ham steps down from the Board and OJ Robinson resumes his seat as the Select Board's representative to the Planning Board. At this time Ray Korber and Peter Malia left the meeting. Chairman James Spanos returned to his seat as Chairman. Member Beaudin returned to his position of alternant member.*

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### **III. PROPOSED CHANGES TO THE LAND USE PLAN ORDINANCE FOR THE 2021 TOWN MEETING**

#### **Public Hearing Regarding Proposed Amendments to the Land Use Plan Ordinance**

##### Proposed Amendments to (Land Use Plan Ordinance or LUPO):

**1. Parking and Off-Street Loading: (Define and Increase parking space requirements)**

Amend Article III Applicability and Non-Conforming, Section A. Definitions: Add a definition of "Parking Space." A parking space is defined as a designated, exclusive and maintained parking space a minimum of one hundred seventy square feet (170 SF) in area.

Add to "Article V General Regulations, Section A. Parking and Off-Street Loading", Paragraph 2:

- a. Subparagraph a. adding "accessory apartment" to the list of residential units and adding requirement for 2 spaces for the 1<sup>st</sup> 3 bedrooms plus 1 additional parking space for each additional 2 bedrooms.
- b. Subparagraph c. Hotel, Motel Tourist Accommodation, Lodging Unit, Boarding or Rooming House requiring 1.25 (instead of 1) parking spaces for each unit or bedroom.
- c. Subparagraph d. Delete "timeshare units" as a separate category.
- d. Subparagraph e. Change the word "Commercial" to "Business Uses and Uses Otherwise Not Listed"
- e. Add Subparagraph m. For any business that is operating without sufficient parking to satisfy current requirements, any request for expansion or change of use will not be denied based on parking requirements so long as the total number of required parking spaces does not increase over the number required for the existing use.

**2. Amend Density Requirements**

Add a new category of Business Use called "Restricted Multi-Family Residential Housing".

- a. Amend Article III Applicability and Non-Conforming, Section A. Definitions:  
Add:
  - i. **Restricted Multi-Family Residential Housing** shall have single entity ownership, whose use is restricted to long term tenancy of greater than 180 days. This use will be subject to the business use lot coverage density requirements.
- b. Amend Article VI District and District Regulations, Section B. District Regulations, Paragraph 2. LAND USE SCHEDULE, the Dimensional Chart by adding to the Business Uses List the **Restricted Multi-Family Residential Housing**. Then on the chart add this use to be allowed in the Village Center (VC), General Use (GU) and Mountain Residential (MR) Districts.
- c. Amend Article VI District and District Regulations, Section B. District Regulations, Paragraph 4. LOT AND LOT COVERAGE REQUIREMENTS AND STANDARDS, the Dimensional Chart.
  - i. **Village Center (VC) District.** Change Percent of Lot Coverage from 80% to 70%.
  - ii. **Village Residential (VR) District.** Change Minimum Lot Size (Sq. Ft.) for Duplex Use Only from 12,000 to 15,000 square feet. Change Minimum Lot Size (Sq. Ft.) for All Other Uses from 8,000 to 15,000 square feet.
  - iii. **General Residential (GR) District.** Change Minimum Lot Size (Sq. Ft.) for Duplex Use Only from 15,000 to 20,000 square feet. Change Minimum Lot Size (Sq. Ft.) for All Other Uses from 10,000 to 15,000 square feet.

The Board reviewed the proposed changes to the ordinance provided by Planner Bont. Vice Chair Chenard wanted to note that the changes specific to subdivisions are not applicable to grandfathered subdivisions. Chairman Spanos stated that these changes are only pertinent to future subdivisions.

**MOTION: "To open up the meeting for public comment on the proposed changes."**

**Motion: Member Robinson                      Second: Vice Chair Chenard                      All in favor.**

There were no public comments.

**MOTION: "To close the hearing to public comment."**

**Motion: Vice Chair Chenard                      Second: Member Robinson                      All in favor.**

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#### **IV. CONSIDERATION OF THE MEETING MINUTES:**

**MOTION: "To accept the minutes of November 11, 2020."**

**Motion: Vice Chair Chenard                      Second: Member Robinson                      Motion carries.**

**MOTION: "To accept the minutes of December 9, 2020."**

**Motion: Member Robinson      Second: Vice Chair Chenard      Motion carries with Mark Ehrman abstaining as he was not present at that meeting.**

The Board also briefly discussed enforcement of the Land Use Plan Ordinance and what enforcement powers the Planning Board may or may not have related to parking and traffic in the Town of Lincoln.

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## **V. ADJOURNMENT**

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

**MOTION: "To adjourn the meeting at 8:29pm"**

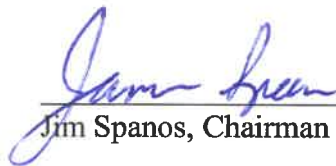
**Motion: Vice Chair Chenard      Second: Member Robinson      Motion carries.**

Respectfully submitted,

*Brook Rose*

Recording Secretary

Date Approved: March 10, 2021



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Jim Spanos, Chairman

