

**APPROVED**

**Town of Lincoln, NH  
Planning Board Meeting  
Wednesday, May 26, 2021 – 6:00 PM  
Lincoln Town Hall, 148 Main Street, Lincoln NH**

**This meeting was available via the Zoom Meeting Platform to allow for town wide participation. All meeting participants joined the meeting using the ZOOM platform. The public is encouraged to participate remotely using ZOOM. The meeting video is uploaded to YouTube immediately following the meeting.**

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

**Staff Present:** Town Planner Carole Bont and Fire Chief & Code Enforcement Officer Ron Beard.

**Consultants:**

- **Town Engineer Raymond H. Korber P. E.**, KV Partners LLC, PO Box 7721, Gilford, NH 03249-7721

**Guests Present:**

- **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. Chairman Spanos joined the meeting at 6:05 thus Vice Chair Chenard chaired the entirety of the meeting. Alternate Ehrman was seated.

**"To open the meeting."**

**MOTION: Member Robinson**

**SECOND: Member Ehrman**

**All in favor.**

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**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.**

**Applicant/Property Owner:** Richard (Rick) Elliot d/b/a Mt. Coolidge Construction LLC.  
3 Amalia Drive, Nashua, NH 03063

**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 (INF1) 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.

**Project Background/History:**

**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:***

**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.

**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.

**The project shall be completed by November 30, 2020.**

Although the deadline to complete the ponds was November 30<sup>th</sup> 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 18<sup>th</sup>). 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.

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.

**At the hearing on January 20, 2021, Applicant Elliot explained that the detention ponds were not complete. The two (2) 20-inch (20") outfalls have not been raised up three inches (3") yet per the plan because the area was not yet vegetated enough to keep the**

*soils from running off into the stream during the spring rains. After the spring runoff Applicant Elliott will raise those two (2) culverts up three inches (3"). Applicant Elliot will not ask 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. Elliot's plan was 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. When Elliot installs a sidewalk in the spring, he will add vegetation to act as a barrier around the pond to keep young children out of harm's way. The Board will revisit this at their site visit. Mr. Elliot planned to have the project completed after the spring rains. The Board continued the hearing until April 28, 2021.*

### **Presentation:**

Applicant Rick Elliot updated the Board on the status of the detention ponds. He stated that the winter cleanup has been done and that Town Engineer Ray Korber recently visited the site. Applicant Elliot said he has nearly finished the items identified on Town Engineer Korber's project completion list.

1. The sod is finished with a small area of that needs to be replaced.
2. There is a little stonework yet to be done.
3. All downstream swales have been cleaned.
4. Upstream swales have been started.
5. Applicant Elliot's engineer [Marc Burnell, PE – Project Engineer, Horizons Engineering, Inc.], is ready to sign off on the project.
6. The only substantial item left to be completed is the guard rail.

### **Town Engineer Site Visit:**

Town's Engineer Korber informed the Board that he did conduct a site visit on May 12th and identified fifteen significant items that needed to be addressed not only with regards to the ponds but the project as a whole. He stated that Fire Chief Beard has been regularly visiting the site to follow up on the project list and that there is still some work that needs to be done there.

Fire Chief Beard stated that he did not see much that had been completed on Town Engineer Korber's project completion list in regards to the ponds.

### **Planning Board Questions:**

*At this time Chairman Spanos joined the meeting (6:05) and Member Ehrman resumed his alternate position. Vice Chair Chenard remained as Acting Chair.*

### **Algae:**

Member Chenard questioned whether the algae forming on the pond would be addressed. Applicant Elliot replied that this is a question for the engineer as he is unsure. Applicant Elliot stated that all of the work should be complete within the next few weeks.

### **Guardrail:**

Applicant Elliot stated he is waiting to hear back from two (2) contractors on the guardrail.

**Process and Timetable:**

Town Engineer Korber asked Applicant Rick Elliott when his engineers, Horizons Engineering (project engineer) would have the following completed:

1. As-Built Plans;
2. Construction Control Affidavits complete and submitted to the Town.

Applicant Elliot stated that everything should be submitted by next week.

Town Engineer Korber replied that once these items have been submitted, he will review them and contact the Applicant's Engineer (Horizons Engineering, Inc.) with any questions. Once this has been done, Town Engineer Korber suggested a final walkthrough with Applicant Elliot, Town Engineer Korber and Fire Chief Beard prior to the installation of the guardrail.

**Current Functioning of the Detention Pond:**

Applicant Elliot stated that everything is functioning exactly as designed.

There was some discussion about whether the forebay is drying up within the seventy-two (72) hours as it was designed to do.

Applicant Elliot and Town Engineer Korber will do a site visit together to make this determination.

**Performance Bonds:**

*[Note: Two (2) performance bonds were required: (1) Construction Bond; and (2) Maintenance Bond.]*  
Member Beaudin questioned when the construction performance bond would be released.

Selectmen's Representative Robinson replied that the Planning Board set it up so that as long as Applicant Elliot [d/b/a Mt. Coolidge Construction, LLC] retained ownership, a maintenance bond would be held but once the property is turned over to the Mt. Coolidge Homeowner's Association, the maintenance bond would be released.

Applicant Elliot stated that he is not going to ask for the construction bond to be returned until the Planning Board is satisfied.

**"To open the hearing to public comment."**

**MOTION: Member Beaudin**

**SECOND: Member Spanos**

**All in favor.**

There were no public comments.

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

**MOTION: Member Beaudin**

**SECOND: Member Spanos**

**All in favor.**

Member Spanos suggested another public hearing once the items on Engineer Korber's list have been completed. All agreed that the matter would be discussed again on July 28, 2021.

**"To continue the hearing until July 28, 2021 at 6:00pm."**

**MOTION: Member Beaudin**

**SECOND: Member Robinson**

**All in favor.**

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## **DISCUSSION REGARDING WATER AND SEWER CAPACITY**

Member Beaudin brought up the memo received from KV Partners Engineering regarding the water and sewer capacity in the Town of Lincoln. The memo determined that there is adequate capacity for all of the projects currently approved and approved in the past (but not yet built) by the Planning Board.

Member Beaudin also brought up the potential for the Town to increase fees for future infrastructure improvements. The Board would like to add this to the agenda for the June 28th meeting. The Board would like Attorney Malia and Engineer Korber to attend the meeting to give their expert guidance and opinions.

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## **III. CONSIDERATION OF THE MEETING MINUTES**

**"To approve the minutes of the April 28, 2021 meeting as amended."**

**MOTION: Member Beaudin**

**SECOND: Member Robinson**

**All in favor.**

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#### IV. ADJOURNMENT

**“To adjourn the meeting at 6:56pm.”**

**Motion: Member Robinson**

**Second: Member Ehrman**


**Motion carries**

Respectfully submitted,

*Brook Rose*

Recording Secretary

Date Approved: June 23, 2021

  
James Spanos, Chairman

