

**LINCOLN PLANNING BOARD  
REGULAR MEETING MINUTES****APPROVED****WEDNESDAY, JANUARY 21, 2015 – 6:00PM****LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH**

**Present:** Chairman R. Patrick Romprey, Vice-Chairman Jim Spanos, John Hettinger, Taylor Beaudin (alternate), Ron Beard (alternate)

**Members Excused:** OJ Robinson - Selectmen's Representative, Callum Grant (alternate), Paula Strickon, Norman Belanger (alternate),

**Members Absent:** None

**Staff Present:** Planning and Zoning Administrator Carole Bont, and Wendy Tanner (recorder)

**Guests:**

- Jeffrey H. Taylor – Director - State of New Hampshire, Office of State Planning, 2 ½ Beacon Street, Concord, NH 03301-4497
- Karen Fitzgerald – Landscape Architect - FitzDesign Inc., 1222 Bennington Road, Franconia, NH 03043-3014

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

*Meeting was called to order at 5:58 PM*

- II. CONSIDERATION** of meeting minutes from:

- January 7, 2015

**Motion Jim Spanos Second: Taylor Beaudin**

**All in favor: (2-1) John Hettinger abstained.**

**III. NEW BUSINESS**

- A. 5:30 PM – MASTER PLAN UPDATE - Work Session** – Exploratory interview with Karen Fitzgerald, President of FitzDesign, Inc. & Jeffery Taylor of Jeffrey H. Taylor & Associates, Inc. of Concord, NH about possibility of assisting Lincoln with Master Plan update. This part of the meeting is a “work session” therefore there will be no public participation in the discussion.

Chair Romprey asked if Karen Fitzgerald and Jeffrey Taylor have had a chance to review the current Town of Lincoln Master Plan.

Fitzgerald answered, “Yes”. Fitzgerald is a Landscape Architect and Land Planner. Fitzgerald had spoken with Bont and understood this project as an update to the current Master Plan. Fitzgerald explained that the Land Use Plan is the crux or heart of the Master Plan and should be the center of discussion. Fitzgerald felt that the Land Use Plan needed some minor revisions in some sections and major revision in other sections.

Chair Romprey asked what direction Fitzgerald perceived the Town of Lincoln needed to go by looking at the current Master Plan.

Fitzgerald said that if the Planning Board was looking to take a new tact in town on Planning. Was the Town looking for more preservation or conservation or that type of thing. The current Master Plan is not very specific compared to other towns. Fitzgerald said that there were areas of the Master Plan that were very general whereas other areas were very specific, like the community design section. Fitzgerald said that the Planning Board might consider putting the community design section in the Land Use Plan because it was almost a design guideline and written for a developer.

Fitzgerald said that what she needed to know was what direction the Planning Board was looking to go in. Was the Planning Board looking to merely update the Master Plan? Or was the Planning Board attempting to get a grip on development and what is going on presently?

Spanos said that the Town of Lincoln is more than 90% National and State Forest, so plenty of the land was conserved already. In addition, the majority of the Main Street along NH Route 112 has already been developed.

Jeffrey Taylor asked what brings the issue of a Master Plan forward at this time.

Bont said that there has not been an update in 11 years and there are issues that need to be addressed. Crippling traffic during certain peak times is one issue. The lack of adequate municipal parking is another issue. Bont said that if there is more development in town, traffic will become an even more severe problem as well as the lack of municipal parking.

Hettinger said that we want to bring in better jobs to the community so that people can live better but we do not want to form a tourist community like North Conway. Hettinger said that we would like to keep it like a resort town, pretty and pristine but still bring business to the community.

Hettinger said we do not want to isolate the people that live in this town from the beautiful views along the river. As we get developers in here they seem to want to exclude town folk from going to the river places where people can swim, picnic or go hiking. We would like to keep it all opened and accessible to the public.

Taylor asked if there was an easement for the River Walk Trail.

Hettinger said that there is an easement on one mile of the River Walk Trail. The town would like to extend that east all the way to Lincoln Woods someday. Hettinger said the Planning Board would like to make this town a tourism hub for people to go into the White Mountains, hiking, biking, and snowmobiling. The Planning Board would like people to come to stay in hotels in Lincoln and then branch out on these trails from this town.

Taylor said that he is a community planner. He had an opportunity to work for 4 different governors. In 2003 Taylor became a planning consultant and has worked with cities and towns

across New Hampshire for the past 12 years. Taylor has stopped driving the process and is now working for and with others. Fitzgerald is one person he has worked with a lot. Taylor made it clear that he would be happy to work with Fitzgerald and assist her, but that Fitzgerald would be the person that would be driving this project.

Taylor is very interested in the North Country and working with the Town of Lincoln. Taylor stated that he has done Master Plans for other towns in New Hampshire and each town is unique. Taylor's view of a Master Plan is a policy document, not a regulatory document and to get the vision implemented you need to build the public support. When the time comes for an appropriation or a zoning vote, you cannot be five (5) Planning Board members presenting your ideas in front of the public without any support, it will not work. Taylor said that you need to get the town support behind your vision, whether it is a River Walk Trail article or something else. Everything requires support of the town.

Chair Romprey said that the Planning Board does not usually have problems with townspeople, because they trust what the Planning Board does. Chair Romprey said that the comments that Hettinger made about retaining public access and retaining the integrity of the downtown integrity as much as possible would rate a nine on a scale of one to ten.

Bont said that Dennis Ducharme is a lead person on things like the River Walk Trail and the development of hotels in town (InnSeasons at Pollard Brook, InnSeasons at South Mountain and InnSeasons at RiverWalk). There is a problem in town with the lack of workforce housing or low income housing. The problem is that the employees of the hotels who earn low level wages have no affordable place in town to live. People who work there qualify for assistance from the town offices. Her understanding is that Dennis Ducharme is either in the process of or already has a Community Development Block Grant (CDBG) for hiring some of his employees. Workforce housing is a huge issue in Lincoln.

Taylor asked where most employees come from. Chair Romprey said as far away as Woodsville.

Taylor's view of the Master Plan is there are three critical elements:

1. Vision Statement;
2. Future Land Use Plan; and
3. Implementation Plan.

The State of New Hampshire regulates that you must have two pieces in order to have a legal Master Plan. You must have a vision statement and you must have a future Land Use Plan. Taylor's view is that there should also be a third piece, an implementation chapter. The implementation chapter means that this task needs to be done by this group by this date. Frequently the Planning Board will look at the list and say "we can't do all that", and it may not be possible. However, the Planning Board is the keeper of the Plan. So if there are tasks that need to be done by a specific department, it is the role of the Planning Board to keep track of these tasks and have yearly meetings to see how the different groups are making out with their projects. Someone needs to keep track of these tasks; otherwise you have no one driving the projects. Taylor said that he would be happy if the Planning Board were to choose them to work

through that process and create a town wide vision, talk about a land use chapter and an implementation chapter.

Chair Romprey asked to talk about the accompanying ordinances.

Fitzgerald said that she has looked at our revised Land Use Plan Ordinance. The Land Use Plan Ordinance would have to be modified as well at the same time, taking into consideration things like the signage issues that are currently going on. The Land Use Plan Ordinance needs to work together with the Master Plan.

Chair Romprey said that we are in no way trying to stop development, but that we need to have more control over it and have the ability to keep it within a reasonable domain.

Taylor said that Fitzgerald has just finished a project in Windham off of Exit 3 on Interstate Route 93 (I-93) and with widening I-93 they are anticipating a lot of new commercial activity. Fitzgerald has drafted a set of regulations that the Town of Windham has adopted addressing the nature, size and placement of the buildings. There may be pieces there that are transferable.

Chair Romprey said that what the Lincoln Planning Board has experienced in the past couple of years is that if they don't like your ordinances they just threaten to sue you.

Fitzgerald said that in Windham they did not have anything in place that would keep businesses from getting out of control. The Board in Windham could see what was going on in Salem and they created new commercial zones, architecture, parking, landscaping, transportation regulations and more.

Taylor said they have just finished a project in Lancaster where they had one commercial zone district. Taylor explained that they worked with the town of Lancaster to keep the different pieces of Main Street. There is the old Victorian downtown brick section, the middle of Main Street where the library, school and court house are and the north end that is all commercial. You may need to differentiate between the sections of Main Street. You may need language in your ordinances that would support the types of activity that you would like to have in each of those three sections. You might want to restrict commercial development to one area, but there would also be regulations that would keep businesses from paving an entire lot over. You may consider putting in sections that direct landscaping, building dimension size and a discussion about where you place the building. Taylor suspects that there is a differentiation in Lincoln as well between different sections of Main Street.

Chair Romprey agreed there was some variation but also thought that Lincoln's Main Street is not pedestrian/user friendly.

Fitzgerald said she does a lot of work with engineers and deals with town regulations. She wants to design something that is friendly and safe, but many times the regulations and guidelines do not allow that. Fitzgerald said that coming from a design point of view and looking at regulations, it was a good place to start. Fitzgerald said that she would be asking: "What is the town vision?" Once she knows what the vision is then she can tell the Board what the town is

going to get with their current ordinance, having done that type of development herself. Developers will not do anything over and above what is absolutely required.

Chair Romprey said that another complication that Lincoln has is that the Planning Board can only deal with one side of Main Street. On the other side the state highway goes right to the edge of private property.

Taylor said that there are ways to deal with that problem. Even if the town is limited with land there are ways to deal with maintaining an image. The Town can make appropriations for trees and landscaping. The town buys a tree and gets permission to plant it in a land owner's front yard with the understanding that the owner will rake the leaves.

Chair Romprey said that we would have a difficult time in town to enforce specific visions. People do not want to give up any land they currently have for parking because there is so little of it in town. Many of the houses on Main Street are within a foot of the sidewalk and there is no place to park.

Fitzgerald said that keep in mind that in its Master Plan the town is looking to the future. When an opportunity comes up and when something becomes available the town should know what it would like to see go there.

Chair Romprey said that what might have to happen at some point is that the General Use Zone along Main Street will have to go back another block. Chair Romprey was still not sure how such a scheme could be implemented here in Lincoln.

Taylor said he did not know either. Taylor said that a lot of what is required for updating or developing a Master Plan involves looking at what is out there presently and then with the Planning Board or even an advisory group, thinking it through.

Chair Romprey said that Taylor and Fitzgerald should analyze the current situation and see what they can come up with. Taylor said that perfection is difficult to achieve, but making it better is usually achievable. Chair Romprey asked that if Taylor and Fitzgerald were to undertake this project, what timeframe they would anticipate.

Taylor asked how much the Planning Board wants done. Taylor thought that one year would probably be reasonable and if you require any regulatory changes it would happen in March of 2016. If there are changes they need to be in by December of 2015 to meet deadlines to get the changes into the town warrant for the annual Town Meeting.

Chair Romprey said that the biggest considerations would be:

- the trail system
- river access
- traffic, parking
- Main Street is a cosmetic mess
- As far as developments go, there is very little land left for development.



Taylor asked when we would be ready to start and if we would need to go to Town Meeting to get an appropriation.

Bont said that the town already had some funds in the CIP on hand for an update to the Master Plan.

Beard asked if the town had preexisting nonconforming issues could the town make the pre-existing noncompliant items come into compliance when it updates this plan.

Chair Romprey said that when something changes, that is when you can require changes be made to the development to bring it into compliance with town ordinances. Chair Romprey also said that more zones could be created which might bring some developments into compliance.

Bont said that there are two (2) or three (3) large developments that are partially developed and have questionable conditions or no conditions associated with them. The developments are not all fully developed yet, but they have agreements with the Planning Board for a specific number of units on a specific number of acres. They are building large homes on tiny lots.

Taylor asked if these approvals for developments are over four (4) years old.

Chair Romprey said that they were. Chair Romprey believes that they are challengeable.

Bont said that the developments do have approval.

Chair Romprey gave an example that when a development gets an engineering review for run off and drainage, the engineer figures the estimated stormwater runoff based on assumed 25% lot coverage. These developers are developing lots that just barely meet with minimum lot size of 15,000 square feet (i.e., tiny lots) and then they are building large houses with 80% lot coverage. There is no maximum lot coverage for lots that are for residential purposes.

Fitzgerald said that is something that is not handled in the Master Plan right now.

Taylor asked about the Shoreline Protection Act and asked if it was enforced here.

Bont said that in the past she did not have tools to see where the limits of the Shoreland Protection Act were, but recently there are tools available.

Bont explained that we do not have a building inspector because we did not adopt the RSA155-A and we do not have the means of enforcing the state building code.

Taylor said that that might be a good first step with the money that is currently appropriated.

Chair Romprey said that we are now requiring third party inspections and architectural engineering sign-offs on everything. Last year we elected not to go the inspection route because we do not want the State controlling our interests.

Taylor said if you can do it yourself that is great.

Spanos said that we can still enforce the zoning setbacks whether or not we enforce the NH State Building Code.

Chair Romprey asked when they could start.

Bont said it depended on how much the update would cost. If it costs more than the amount of money the town has already set aside in the CIP and if we need to go to Town Meeting we need to start the process of requesting additional monies right away.

Chair Romprey asked if they could give a ballpark figure for us to start with.

Taylor said that the City of Berlin got their hands on Tillotson Fund money so they did a complete Master Plan including people from Plymouth State College running all over the town and that was \$100,000. In Bethlehem they had written their own Master Plan and everybody on the Planning Board took a chapter or two and at the end Bethlehem had a box full of chapters and we took the chapters and made the chapters sound like one voice, which cost them \$8,000.

Chair Romprey said that the last person to do our Master plan was Sandrine Thibault.

Taylor said she is now working for the City of Burlington, VT. Taylor said that \$20,000 or more could get it started.

Fitzgerald said that we need to talk and get a Scope of Work drafted.

Chair Romprey said that the Planning Board would put together a Scope of Work encompassing everything the Board feels the town needs. Fitzgerald can work on the Scope of Work with Bont and Bont will report to the Planning Board, but at some point fairly quickly we need to get a bottom line.

Taylor said that it may be that they would only get half way down the town's list with the amount of money. If that is the case, you can appropriate the remainder of the money the following year. That would be fine as long as everybody knows it on day one.

Chair Romprey said that we will prioritize our list.

Spanos asked that although he knows that a Master Plan does not have any force of regulation, isn't the Master Plan the basis for enacting all of the Zoning Ordinances. Theoretically we could not put something forth that was inconsistent with the Master Plan.

Taylor said that in a perfect world you have a very sound up-to-date Master Plan and you have a well-informed citizenry who adopts only language that is consistent with the Master Plan.

Chair Romprey said that if we have seven articles that we put forth at the Town Meeting, they most likely would pass because they trust what we did.

Fitzgerald said that Taylor and she worked on a community planning grant. They interviewed every planner that did a project and got a synopsis of their project. They found that a lot of these towns would not have been able to do the project without the grant money but also that they would not have been able to do the project without the Master Plan there to back them up.

Chair Romprey said that he thought we have a wheel that does not need reinventing, but needs a lot of fixing.

Spanos said that we already have the vision statement done.

Taylor said sometimes it's good to go out to other groups like the Chamber of Commerce and say "This is what we have done. This is where we are going. Is everybody comfortable with that?"

Spanos asked if someone takes an action that is not consistent with the Master Plan, is that challengeable.

Taylor said yes it was. Any regulation has to be backed up by the Master Plan.

Beaudin said that Taylor spoke about a grant and other towns that received funds from other sources to do their Master Plans. He asked if there was any funding available Taylor or Fitzgerald were aware of.

Taylor asked if the area covered by the Tillotson Foundation comes down this far. Taylor said the New Hampshire Charitable Foundation in Concord is the granddaddy for administering the Tillotson Fund so tell somebody at the Charitable Foundation that you would like to talk to somebody about the Tillotson Foundation.

Beaudin said that someone mentioned Community Development Block Grant (CDGB) money. Bont said that CDBG money was being sought by Dennis Ducharme for the South Mountain RiverWalk project.

Taylor said that the Community Development Finance Authority (CDFA) passes out \$12,000 planet grants twice a year. The CDFA money is for projects that benefit low and moderate income people. Taylor said maybe the town would have a chance if you said that part of the focus of that effort was to locate opportunities for workforce housing. Taylor said he made his living finding money where there was none. Taylor said to ask your representative (Ann McLane Kuster) and because we have a state highway going through town, ask the DOT commissioner.

Chair Romprey said that the Planning Board will work together and write out a Scope of Work.

Fitzgerald and Taylor thanked the Planning Board for their time.

Chair Romprey asked if there is any new business.



Bont reminded the Planning Board that February 11 is the meeting for the partial review of The Pines at Forest Ridge.

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

- V. PUBLIC PARTICIPATION AND OTHER BUSINESS:** Public comment and opinion are welcome during this open session. However, comments and opinions related to development projects currently being reviewed by the Planning Board will be heard only during a scheduled public hearing when all interested parties have the opportunity to participate.

**VI. ADJOURNMENT**

**Adjourned at 6:41 PM**

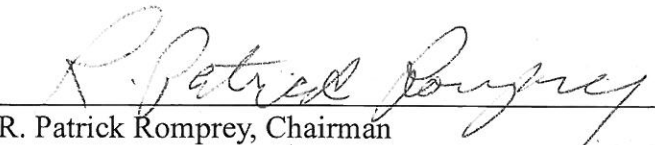
**Motion: Jim Spanos Second: John Hettinger**

**All in favor: (3-0)**

Respectfully submitted,

Wendy Tanner, Planning and Zoning  
Recorder

Dated: January 21, 2015

  
R. Patrick Romprey, Chairman