

LINCOLN PLANNING BOARD
REGULAR MEETING MINUTES
WEDNESDAY, SEPTEMBER 14, 2016 – 6:00PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH

APPROVED

Present: Chairman Jim Spanos, Vice-Chairman R. Patrick Romprey, OJ Robinson - Selectmen's Representative, John Hettinger, Ron Beard (alternate & Fire Chief), Norman Belanger (alternate)

Members Excused: Paula Strickon, Callum Grant (alternate)

Members Absent: None

Staff Present: Town Manager and Town Planner Alfred "Butch" Burbank and Planning and Zoning Administrator Carole Bont.

Staff Excused: Wendy Tanner (Recorder)

Guests:

- **Karen Fitzgerald** – Landscape Architect - FitzDesign Inc., 1222 Bennington Road, Francestown, NH 03043-3014
- **Dennis M. Ducharme** – President, RRP, Riverwalk at Loon Mountain, LLC, 33 Brookline Road, PO Box 636, Lincoln, NH 03251-0636
- **Jesse Karp** – PE, Installation Program Manager, Telsa New York, 511 W 25th Street, New York, NY 10001

- 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 called the meeting to order at 5:56 PM.

Callum Grant and, Paula Strickon were excused.

- II. CONSIDERATION** of meeting minutes from:

- August 24, 2016

Motion to approve the minutes of August 24, 2016 as presented.

Motion: John Hettinger Second: Pat Romprey All in favor: (3-0)

Ron Beard and Norman Belanger abstained.

Ron Beard and Norman Belanger are seated.

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

- A. 6 PM.: Tesla Representative from California & Dennis Ducharme - Conceptual -**
Proposal to put Tesla Recharging Stations in parking spaces for timeshare hotel
RiverWalk at Loon (Tax Map 118, Lot 044).

Dennis Ducharme told the Board that they would like to put charging stations at RiverWalk near the west end of the parking lot. Ducharme thought that electric cars will be the wave of the future and Tesla reached out to Ducharme to put charging stations in the parking lot at Riverwalk. There are three (3) RiverWalk condominium owners that own Teslas. The plan shows several options and Ducharme believed that option 2 on the plan would be used. There would be a transformer that needs to go behind a gate and there will be planting around the fencing to hide the transformer. The plans call for 6 parking spaces at the east end of the RiverWalk complex.

Bont explained that she had told Ducharme and Karp not to bring all plans because this was a conceptual. As soon as they start talking about the amount of detail required for a Site Plan Review we would have to notice abutters.

Romprey asked if Bont was looking at an electric charging station as a fill up station.

Bont said yes. She explained that Tesla is aiming to create a \$30,000 dollar car which means that people will be waiting in line to use the charging stations. There are a certain amount of parking spaces associated with the RiverWalk building, Winery, Restaurant and Spa. That number of spaces may be fine now because only Phase I is completed. However, we question the adequate number of parking spaces required because although the number of condominium units is seventy-nine (79), the number of lock-out hotel units is closer to one hundred forty-one (141). We have approved the number of parking spaces based on seventy-nine (79) units, not one hundred forty-one (141) units.

Romprey asked if Bont was saying that some of the units split into two.

Bont said yes. If you buy one condo unit you would have purchased two hotel units making up one condominium. Bont said that parking has not been discussed by the Planning Board. Nor has the Planning Board discussed the impact of utilizing six (6) of those spaces for electric charging stations. The concern is this: Is there enough parking for what businesses are slated for the building? Bont felt that the Town would want RiverWalk to be just as successful as the people who own RiverWalk. The Town has parking issues in the downtown area. If Ducharme is going to designate some of those parking spaces that were originally planned for RiverWalk to be set aside for Tesla recharging stations, that will that create an issue. For example, “say you are renting a room at RiverWalk. You have a Volkswagen and you are going hiking in the mountains. When you get there the other spaces are taken so you park your Volkswagen in the Tesla spot and go hiking for the weekend”. Are those spaces designated only for Tesla vehicles? Or can you park your VW in there if you are a customer of RiverWalk if there are no other spaces available? Bont told the Board that these questions need to be part of the Planning Board’s conversation to figure out how to allow Tesla recharging the best way possible the doesn’t jeopardize or cause a problem with parking for the RiverWalk Resort and other businesses in the building.

Romprey urged Ducharme and Karp to get together with Town Manager Burbank and Select Chair Robinson and see if something jointly could be done about parking to benefit both the Town and the RiverWalk Resort.

Ducharme said that he sits on the committee for the eighteen (18) acres of Town owned recreation space and the committee has been working on what could be done with that property. A big piece of that property will involve parking. Rick Kelley also sits on the park committee working to add more parking and also to create a great recreation park on that parcel. Ducharme also leases a lot from Paul Bartlett behind the shopping center and theatre. There will be one hundred thirty (130) parking spaces in that lot when complete. There are thirty to forty (30-40) reserved car parking for employees in a gravel parking lot.

Romprey said that goes back to the original approval that approved grass parking.

Hettinger said that he has an issue with electric car charging station. There are three currently in the area: at Loon Mountain, Indian Head and the Woodstock Station. The charger at the Woodstock Station will charge a Tesla. Hettinger spoke to an electric car user at the Woodstock Station and was told that the driver had an eighty (80) mile range on his car. This gentleman also had an “app” on his cell phone showing him where all the charging stations are along his route. Hettinger explained that if you have an electric car, you have to really plan your trip based on your mileage. Now you get this charging station and a second car pulls up. If there is no second charger there, this second driver has to wait. If the first owner does not come down out of his room, you may wait all night. Hettinger thought that conceivably you would pool the charging stations and be able to handle more vehicles. Hettinger also asked if it was possible to tell if one car was already charged or not.

Karp said that the Tesla charging station is different from other electric recharging stations. The Tesla charging station provides a much quicker charge than a “Level 2 slow charge station”. Because of the required transformer and other infrastructure, in twenty to thirty (20 – 30) minutes you can put two hundred (200) miles on a Tesla vehicle.

Hettinger asked how the owner would know that his car was charged in twenty to thirty (20 – 30) minutes if he was in having dinner.

Karp thought that by and large the Tesla owners will be tracking their charge on their phone app that would give them an alert to tell them when their car charging was done. Karp explained that was why, at a minimum, they would build only six (6) recharging stalls to allow that flexibility. In the beginning one car will come to charge and then the next vehicle would use the next available charging station and so on. “It should work itself out.” There is an etiquette involved in car charging, especially for Tesla owners. Karp said he would be surprised to see a Tesla owner parked overnight in a stall.

Bont said that at the Red Jacket Motel in North Conway, there was an event in the convention hall. The parking lot was full, but nothing was parked at the charging stations. People were parking everywhere else. It was not clear whether the average vehicle was allowed to use those parking spaces or not.

Romprey and Chair Spanos both asked if others were to park in these spaces, what would happen.

Karp said that they would not police the spaces and tow vehicles. However, part of what makes this Tesla system work is that there are spaces dedicated and available to Tesla vehicles. If you owned a Tesla and were planning a trip to Lincoln NH, you would know that there would be a place to park and recharge your Tesla and that another car would not be parked there overnight.

Romprey said that if additional parking was available there would not be any issue with designating spaces for Tesla cars.

Ducharme said that the RiverWalk Resort opened on June 24, 2016 and has been filled to capacity ten (10) nights since opening and there has not been an issue with parking. The row furthest from the resort has been sporadic and the row on the road itself next to the Village Shops has had no cars in it. Presently there are no issues with parking even in a sold out state.

Romprey asked how many stalls are proposed.

Karp said 6.

Romprey asked if it would only be 1 transformer.

Karp said it was one (1), 300 kVA 480 volt transformer. (kVA = 1,000 volt amps)

Romprey asked stepped down to what.

Karp said that they take 480/277 AC volt service that is stepped down to 12.2 or 13.2 DC volts.

Romprey asked if they were charging with 480 volts.

Karp said it was converted to DC with a 600 amp switch gear, each charger cabinet takes 200 amps.

Romprey said that would explain the charging speed.

Karp said that it is the fastest one on the market and the reason that other cars use it at present. It is a Tesla Super Station, but other cars cannot take the high amperage.

Romprey asked how this is paid for.

Karp said that there is no transaction at the charge point and that it was included as part of purchasing the vehicle. It is really to enable long distance travel and is not your local fill up spot, this is for someone that lives in Boston and is coming up to ski for the weekend. The next closest stations are being built in Hooksett, West Lebanon and Berlin, VT. They are also looking at Conway, NH.

Chair Spanos asked if it this transformer would service other stations if need be.

Karp said that they would provide a “stub out” out of the vault to enable what Ducharme is considering for future buildout for other charges that remain an option on the table.

Romprey asked if there was three phase in the transformer.

Karp said that there is three phase in the underground loop.

Fire Chief Beard said that NH Electric Cooperative (NHEC) had to run new lines just to feed the RiverWalk Resort.

Karp said that they would have to tap into an underground line to put in a new pad.

Romprey said that for every 6 stalls and you add another 6, you would have to double your transformer size.

Karp said that they build 20 stall stations and there are some deficiencies, it is not a linear relationship. They would be looking at a 300 kVA transformer for the 6 stalls. If they were building 12 stalls they would go with a 500 kVA transformer. NHEC has been a working with Tesla and are really behind this technology and are helping out with the design. If Tesla gets the approval of the Board, they are ready to break ground in the next few weeks and have them built before the winter.

Bont asked if this would require Site Plan Review.

Romprey did not believe that Site Plan Review was required for adding charging stations.

Robinson thought that it was a valid question but did not see this as a new attraction or new business. It is an existing business with parking and they are taking 6 of those parking spaces and allowing specialty type parking. If North Conway is on the map and places in Vermont, people with Tesla's will look for places to charge their vehicles rather than get stranded and Robinson thought that he would want Lincoln to be on that map.

Romprey agreed saying that they are going to dedicate 6 parking spaces for a special use. If Ducharme can show that he has ample parking to be able to remove these 6 spaces while they work on the parking spaces, he did not have any issues.

Spanos asked if they would enforce the dedication.

Romprey thought the parking spaces should be restricted to what they are meant for.

Hettinger said that you have motels all over town and up into the Franconia Notch. He asked if every motel and every business would eventually have Tesla charging stations.

Karp said they see a future where everywhere there is a parking lot it will be equipped with electrical charging. Tesla is not in the position to put one everywhere. They currently look for

great partners and cities that can be in the forefront of this technology. There is nothing that will stop a neighboring hotel from investing in a charger of their own variety.

Hettinger asked what would happen if a non Tesla vehicle came up to charge. Would they need a separate charging station?

Karp said that they would need a universal charging port.

Hettinger said that Ducharme would require more than those 6 spaces.

Ducharme said that if he looks into the future, he will probably be putting in 1 or 2 more charging stations for other types of cars. Ducharme said that he projects that possibly 10 percent of the population will be driving electric cars.

Karp said that he sees a future where the vast majority of people are driving electric cars. You could conceivably have charging stalls on a whole bunch of parking spaces. You are not changing the use, you are providing an amenity for patrons.

Romprey said that there are stations in the Fort Lauderdale, Florida that have 16 charging stalls.

Chair Spanos asked if a Tesla car could charge in a generic charging station.

Karp said it could.

Chair Spanos said that it was more than voltage that is making these stations proprietary.

Romprey said that it just takes longer.

Karp said that there are patents and discussions going on and at some point there has got to be some collation around it, but right now you cannot use the Tesla station for another type of electric car. It will not authenticate a charge.

Romprey said that we have nothing in our ordinances that cover this.

Bont asked about fire issues.

Fire Chief Beard said that the proposed electric vault was a long distance away from the propane vaporizer.

Karp said that he has a first responder guy who will share that information with the Fire Chief. He would also share the code to gain access to the transformer area with the Fire Chief. Karp explained that they installed a charging station in Seabrook NH and the fire department was very involved and did a walk through.

Bont asked if the Planning Board thought that Tesla would need a Land Use Permit because the transformer was in a concrete pad structure.

Rompney said that if they were going to change a transformer from a 500 kVA to a 900 kVA it would be a bigger pad and a larger function.

Fire Chief Beard said that the current transformers are out behind RiverWalk. The Tesla station would be tapped into the feed that goes in, run underground and then set a vault.

Karp said that they will have a vault and there is some equipment that will be enclosed in a fence.

Bont asked if they could, at a minimum, submit plans to the Planning Department so that the Town, Dig Safe and Fire Department would know where it was. Bont said that a fence would trigger Site Plan Review.

Karp said that Dig Safe would be part of construction protocol.

Robinson asked if the vault would be above ground or underground.

Karp said that the vault sits below ground but it is at grade and the transformer sit above. It will be exactly like the pad mount system.

Rompney asked if there was a Site Plan available.

Bont handed out copies of the Site Plan Karp had submitted to her earlier. There was a discussion about the location of the transformer as well as whether Tesla could hide/protect the transformer with a fence versus bushes.

Ducharme said that there were other items on the lot that would be fenced in.

Karp said that the equipment is seven feet three inches (7'3") tall and a seven foot six inch (7'6") fence would surround it, then trees or shrubs around the fence.

Karp showed the Board images of other transformers that were installed from his laptop.

Questions about enclosures, signage and fencing were asked.

Ducharme handed out maps of proposed locations for the charging stations.

Robinson asked Ducharme if his employees' lot will go away with Phase II.

Ducharme showed on the map where he has more parking and explained further easements he has for parking on abutting property.

Rompney reiterated that Tesla and Ducharme should work with Town Manager Burbank and Select Chair Robinson to work out the details.

There was a discussion about fences versus shrubs and some Board members thought shrubs were preferred over fences.

Bont checked the regulations on fences and it was determined that a waiver could be granted by the Planning Board for a commercial fence.

Bont said that he will require a permit for the fence, but he does not need Site Plan Review if it gets waived by the Planning Board.

Robinson said that when he applies for a permit the Site Plan Review for the fence could be waived at that time.

Bont said that Ducharme could email her and request a waiver.

Robinson thought that was reasonable.

Bont said that if he doesn't need a fence he doesn't need a permit.

Spanos said that typically you apply for a waiver before you get your permit.

Robinson said that he would apply for the permit and then the Planning Board would decide if they were going to grant the waiver.

Ducharme said that he could submit that tomorrow.

Bont said we meet again on September 28th.

Ducharme asked if they had to wait that long.

Bont said that the Board can't do anything without a meeting.

Chair Spanos polled the board to see if they were ok with this.

The Board members agreed.

Ducharme said that on September 28th the Board would be signing a waiver but you have already agreed.

Rompney said that what the Board agreed on is that they like the conceptual and you do not need to come to Site Plan Review.

Karp asked for clarification that they do not require an electric permit, but a New Hampshire Licensed electrician needs to do the work.

Fire Chief Beard mentioned that the applicant must ask for permission from the NHEC and hire a New Hampshire licensed electrician.

Robinson said that the meeting on September 28th is only to build the fence, so you can now dig and put all the works in the ground, only the fence requires a permit. If there is no fence, no waiver will be required.

Mr. Ducharme and Mr. Karp thanked the Board and left the meeting.

B. 6 P.M.: Master Plan Update 2015-2016: Karen Fitzgerald of FitzDesign to work on and review drafts of Master Plan Chapters. **This is a work session. There will be no public input.**

Karen Fitzgerald stated that grammatical errors have been corrected in the draft copy of the Master Plan.

Fitzgerald said that the only real change made was in the Land Use section where a goal was changed to include workforce housing. The other item to talk about is the expansion of the Village Center district. Only the last section of the Land Use section was changed to reflect the changes to workforce housing and the expansion of the Village Center District. Fitzgerald explained that the language was added to include workforce housing in any district.

Rompney asked if one of the questions was a definition of workforce housing. Does workforce housing apply to upper income as well as lower income workers?

NH RSA 674:58-61 Workforce Housing

IV. "Workforce housing" means housing which is intended for sale and which is affordable to a household with an income of no more than 100 percent of the median income for a 4-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. "Workforce housing" also means rental housing which is affordable to a household with an income of no more than 60 percent of the median income for a 3-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, shall not constitute workforce housing for the purposes of this subdivision. Fitzgerald said that workforce housing is an income bracket, but anything over 30% of someone's income group is considered affordable. If you are within an income and your housing costs are over 30% you would qualify for workforce housing.

Hettinger said that it depends upon the housing not how much you make.

RSA 674:58-61 Workforce Housing

I. "Affordable" means housing with combined rental and utility costs or combined mortgage loan debt services, property taxes, and required insurance that do not exceed 30 percent of a household's gross annual income.

Fitzgerald said that it depends upon the housing cost and your salary. It is “unaffordable” in their eyes if you are paying more than 30% of your salary. That way it evens out depending on where you live in the state and what the housing costs are in that location.

There was a brief discussion about different professions and pay differences in areas.

The Planning Board discussed the number of workforce houses you need to build on one lot to still make a profit. The New Hampshire Housing Finance Authority is helpful in making recommendations to towns.

Bont mentioned that Town Manager Burbank was contacted by a group that keeps track of Airbnb's in New Hampshire. They told him that there are 520 units rented out to Airbnb in the Town of Lincoln which is more than any other town in the State of New Hampshire.

Chair Spanos asked what it had to do with affordable housing.

Bont said that short term rentals affect the number of affordable housing units are available for your workforce. For example; the man who just bought the house on School Street with the red star on the wall already owns the house next door on School Street. He bought the house next door so he can rent it out as an Airbnb. What that is doing it is removing less expensive housing from the market that otherwise would be available for people who work here and who may want to live here. People make so much money renting out short term they do not want to rent to full time renters and those homes are not available to purchase.

Rompney said that seven (7) years ago you knew most of the people on Maple Street, Church Street and School Street, now you wouldn't know twenty percent (20%) of the residents.

Hettinger asked if there was someone going around signing these people up or if it was happening naturally. Bont said that it was happening naturally. These people who reached out to Town Manager/Planner Burbank and told Burbank that they have an app they developed that lists all the short term rentals in the area and they track them.

Spanos asked what their agenda was. Bont said their agenda is to sell their app.

Robinson asked what the app was and what it did. Airbnb has an app and to track data called AirDNA. Bont did not know; she said they would have to ask Burbank.

Fitzgerald said that six hundred twenty (620) short term rental units was equal to or more than the number of dwelling units than full time residents occupy in this Town. There are five hundred twenty (520) owner occupied residents in Lincoln out of about 2900. 75% of all units in Lincoln are already rentals.

There was a discussion about rental units in town and if they are seasonal or year round rentals.

Fitzgerald made changes to the land use goal, LU2, page 10 as follows:

“Study all zoning districts to allow for workforce housing and greater density in order to accommodate mixed use in compact neighborhoods at appropriate locations.”

There was a discussion about the new goal.

Fitzgerald then took out the new maps for the proposed expansion of the Village Center (VC) District.

There was a long discussion about the map and whether it was enough expansion. The south side of Main Street was discussed and it was decided to add four (4) more lots from the south side going toward Loon Mountain.

The discussion then moved to downtown and after a long discussion the proposed expansion was decreased on School Street, Church Street and Maple Street to include only 2 lots in on each road.

This map will be going into the Master Plan. Actual zoning changes must to be brought to town meeting to be voted in by the residents.

Fitzgerald noted that the Master Plan is not a legal and binding document, it is only a guideline.

The last thing was to look at is the text at the end of the Land Use Chapter. Page 29 in the Land Use Chapter, section on “Looking Forward”. The Board agreed with the corrections.

There was a brief discussion about possibly adding information about electric cars and recharging. It was decided that electric vehicles would not be in the Master Plan.

The corrections should be done by next week and then the final review would be a meeting opened to the public on September 28, 2016 at 5:30 PM.

Will the master plan be available to the public?

Yes, there will be 2 hard copies available, a copy at the library, a copy at the Town Hall and a .pdf file on the web site.

Available a week from today. September 21st to give the public 1 week to review the manual.

Notices will be posted at the transfer station, library, town hall and post office.

IV. NEW BUSINESS

- 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

Motion to Adjourn at 7:30 P.M.

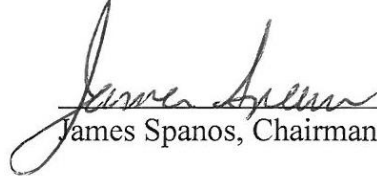
Motion: Pat Romprey Second: John Hettinger

All in favor: (4-0)

Respectfully submitted,

Wendy Tanner,
Planning and Zoning Recorder

Date Approved:



James Spanos, Chairman