

LINCOLN PLANNING BOARD
REGULAR MEETING MINUTES
WEDNESDAY, OCTOBER 26, 2016 – 6:00PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH

APPROVED

Present: Chairman Jim Spanos, OJ Robinson - Selectmen's Representative, John Hettinger, Paula Strickon, Callum Grant (alternate)

Members Excused: Vice-Chairman R. Patrick Romprey, Ron Beard (alternate & Fire Chief), Norman Belanger (alternate)

Members Absent: None

Staff Present: Town Manager and Town Planner Alfred "Butch" Burbank, Planning and Zoning Administrator Carole Bont, and Wendy Tanner (recorder)

Guests:

- **Jack McCormack** – attorney representing Alexander L. Ray 1999 Revocable Trust, 26 Main Street, Ashland, NH 03217
- **Justin Roshah**, guest, 121 Toad Hill Road, Franconia, NH, student intern at the Littleton Courier newspaper
- **Myles Moran**, resident of 11 O'Brien Avenue, Lincoln, NH 03251 (Map 117, Lot 024) whose address is PO Box 184, Lincoln, NH 03251-0184 and Principal/Broker for Moosilauke Realty, 104 Main Street, North Woodstock, NH 03262
- **Jeffrey Martel**, resident, 113 Pollard Road (Tax 117, Lot 021), PO Box 66, Lincoln, NH 03251-0066
- **Karin Martel**, resident, 113 Pollard Road (Tax 117, Lot 021), PO Box 66, Lincoln, NH 03251-0066
- **Mary Jo Levitsky** – resident, abutter and property owner of 11 O'Brien Avenue, Lincoln, NH 03251 (Map 117, Lot 024) whose address is PO Box 184, Lincoln, NH 03251-0184.
- **Margaret Martin**, resident, 23 & 26 Franklin Street (Map 113 Lot 006, 012), Lincoln, NH 03251
- **Dave Driscoll** – resident, 24 Lakeside West Drive #2 (Map 111, Lot 001), Lincoln, NH 03251

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

The meeting was called to order at 6:02 PM

Callum Grant is seated.

II. CONSIDERATION of meeting minutes from:

- October 12, 2016

Motion to approve the minutes of October 12, 2016 as amended.

Motion: Paula Strickon Second: John Hettinger All in favor: (4,0)

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

IV. NEW BUSINESS

- A. **6:00 P.M. Case # SUB MIN 2016-01 M116 L043 & 0.43.1 Town of Lincoln & Alexander L. Ray 1999 Revocable Trust: Subdivision Application – Application for Lot Line Adjustment between 2 Lots.** In accordance with RSA 676:4 & 676:7 an application for a subdivision/lot line adjustment will be submitted to the Planning Board on Wednesday, October 26, 2016 – 6:00PM at the Lincoln Town Hall during a regular meeting of the Board. Upon a finding that the application meets the submission requirements of the Lincoln Subdivision Regulations, the Board will vote to accept the application as complete and a public hearing on the merits of the proposal will follow immediately. Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved.

Applicants Town of Lincoln and Alexander L. Ray 1999 Revocable Trust are proposing a minor subdivision (lot line adjustment) with the Town of Lincoln, owner Map 116, Lot 043 and 043.1 and Alexander L. Ray 1999 Revocable Trust who owns Map 117, Lot 102.

The applicants propose to transfer the land (Map 116, Lot 043.1) south of the Forest Ridge Drive and east of the Kancamagus Rec Road (currently leased to the Alexander L. Ray 1999 Revocable Trust who owns Map 117, Lot 102, for a parking lot to service the Common Man Restaurant) to be added to Map 117, Lot 102. Map 117, Lot 102 is in the General Use (GU) District. Map 116, Lot 043.1 is in the Rural Residential (RR) District. The applicant's surveyor is Sabourn & Tower Surveying and Septic Design, PLLC. No new lots are being created. No additional streets, utilities or public improvements will be required.

Attorney McCormack described the parcel of land leased by the Revocable Trust from the Town for parking. If the Planning Board will deem that the applicant has met the application requirements, the parcel described as Tax Map 116, Lot 043.1 will be merged into the parcel described as Tax Map 117, Lot 102. No new lots are being created, no new streets are necessary, it will only entail a change of the common boundary between the lots.

Chair Spanos asked if the lot described as Tax Map 116, Lot 043.1 would be extinguished entirely.

Attorney McCormack said he thought the subject lot may extend across the street (Kanc Rec Road).

There was a brief discussion about whether the subject parcel continued across the street. The subject parcel (Tax Map 116, Lot 043.1) **as subdivided** will not continue across either the Kanc Rec Road or Forest Ridge Road. Bont said that the small parcel across the Kanc Rec Road from the subject parcel (Tax Map 116, Lot 043) will remain part of the much larger parcel owned by the Town known as the Kanc Recreation Area (Map 116.043) and will **not**

become part of the subject lot that the applicant is merging with his lot described as Tax Map 117, Lot 102.

Robinson asked about the utility vault shown on the map that hugs the northern edge of the property and asked who the vault serves. There was a discussion about whether there was a supporting easement for the utility vault. If there is an easement for the utility vault, then when the Town conveys title to the land, the deed conveying title would be subject to that easement.

Attorney McCormack stated that a title search will reveal if there is, in fact, an easement for the utility vault on the property.

Motion to open to public comment.

Motion: John Hettinger Second: OJ Robinson All in favor: (5-0)

There was no public comment.

Motion to close from the public comment.

Motion: John Hettinger Second: Paula Strickon All in favor: (5-0)

Chair Spanos asked if the application was complete.

Bont said, “Yes”. The applicant for a minor subdivision such as a boundary line adjustment is required to submit only three documents. The rest of the Subdivision Checklist is blank because the Applicant only needs to submit:

- (1) Completed application;
- (2) List of abutters; and
- (3) A final plat.

Bont said she sent out notices to the abutters on his list, published the notice in a newspaper and the Planning Board is now holding a public hearing.

Motion to accept the application as complete.

Motion: Paula Strickon Second: OJ Robinson All in favor: (5-0)

Motion to approve the application for subdivision and lot line adjustment as presented.

Motion: OJ Robinson Second: John Hettinger All in favor: (5-0)

Attorney McCormack said that now there is a thirty (30) day appeal period. This will give him time to have the title search done and look into whether the utility vault is actually on the property and if so, is there an easement for that vault and who the beneficiary of the easement is.

B. 6:00 P.M.: Capital Improvement Plan (CIP) Update 2017: The CIP Committee will present the updated 2017 CIP to the Planning Board for their discussion and review.

Public hearing and discussion to be continued to next Planning Board meeting on Wednesday, November 9, 2016.

- a. Digital draft of the proposed 2017 Capital Improvement Plan (CIP) update is available on the Town website at www.lincolnnh.org (link on the right hand corner of home page).
- b. Hard copy can be read at the Town Offices and at the Lincoln Public Library
 - i. Town Offices are open Monday – Friday 8 AM – 4:30 PM
 - ii. Lincoln Public Library is open Monday – Friday 10 AM – 8 PM, and Saturday 10 AM – 2 PM

Capital Improvement Plan Committee (CIPC) Chair Hettinger said that the CIPC had eight (8) working sessions in July, August, September and October. There are five (5) projects shown on the CIP spreadsheet that were being funded by a bond:

- (1) Project #12 – Replace river intake gallery;
- (2) Project #36 – Beechwood I paving and drainage repairs;
- (3) Project #71 – West Street reconstruction;
- (4) Project #74 – East Branch Pemigewasset River levee repairs; and
- (5) No Project # – Construct a new sidewalk on Pollard Road.

The total funds budgeted for fiscal year 2017 is one million, three hundred forty-eight thousand, seven hundred ninety-five dollars (\$1,348,795). That sum includes the service debt for the five (5) projects listed above (#12, #36, #71, #74 and the Pollard Road sidewalk). This represents a decrease of five tenths of a percent (0.5%) over the sum of one million, three hundred fifty-four thousand nine hundred dollars (\$1,354,900) budgeted for the CIP in 2016.

Robinson pointed out the highlights of the CIP. Changes from last year were:

- Project #10 – Highway garage area paving. Project #10 was removed after a discussion with the Public Works Director. This project may be re-added at a later date.
- Project #14 – Boyce Brook, Cold Springs Wells, the description was changed to “Communications Upgrade to Water System” to include the entire water system and the funds were increased to one hundred twenty-five thousand dollars (\$125,000).
- Project #16 – Main Street Overhead Utility Relocation Feasibility Study was budgeted at eighty thousand six hundred dollars (\$80,600). This money was estimated to be the cost for just a study to bury utility lines on Main Street. This project was removed because the estimated cost of burying utilities several years ago would be about one million dollars (\$1,000,000) per mile – a project the Town was unlikely to pursue at this time.
- Project #37 – Hanson Farm Road Reconstruction in 2016 had one hundred sixty-nine thousand seven hundred dollars (\$169,700) in funds left over from Phase I. Phase II has been increased to four hundred eighty-five thousand dollars (\$485,000). Additional funds to be used on this project include seventy thousand dollars (\$70,000) from Water Tap Fee funds and the forty-five thousand dollars (\$45,000) reimbursement received from Loon for engineering for Beechwood.
- Project #41 – Pollard Road project has been completed so this project has been eliminated.

- Project #45 – The estimated price for the Fire Department’s T-1 Hahn Tower Truck was lowered from one million dollars (\$1,000,000) to two hundred eighty thousand dollars (\$280,000) and the Town has now purchased a new (used) tower truck for \$249,900 with the remaining monies to be used to outfit the truck.
- Project #56 – Repair/replace Salt Storage Shed at DPW was reduced from one hundred thousand dollars (\$100,000) down to thirty thousand dollars (\$30,000) because parts of the current salt shed will be rebuilt instead of replacing the entire structure.
- Project #59 – The cost to install a Truck Scale at Solid Waste Facility was lowered from eighty thousand dollars (\$80,000) down to twenty thousand dollars (\$20,000) because used truck scales are available in that price range.
- Project #71 – The estimated cost to Reclaim and Pave West Street was originally guesstimated to be five hundred fifty thousand dollars (\$550,000) and the CIPC raised that estimate to seven hundred fifty thousand dollars (\$750,000). To fund the West Street project the committee had to decide which projects could be put off immediately to obtain funds without having to bond the project. West Street should be completed within three (3) years. No other street projects on the CIP are funded until 2018 or beyond.
- Project #72 – The estimated cost to fix Burndy/Old Airport Road/Conant Road was reduced from two hundred thousand dollars (\$200,000) down to fifty thousand dollars (\$50,000) because the DPW Hadaway said these roads could be graded “in-house”.
- Project #97 – The project “Kanc Rec Area Parking Lot Reclamation” was renamed to include the word “Expansion” because the size of the parking lot may be increased at some point.
- Projects #29, 30, 59 & 88 – Solid Waste has nothing budgeted for this year. There is enough money in there to get by for one (1) year.

Chair Spanos said:

- Project #45 – In the CIP for 2016 for the Fire Department, the line for the Hahn Tower Truck had only one hundred thirteen thousand dollars (\$113,000) in 2016 and they spent two hundred forty-nine thousand dollars (\$249,000). Where did the additional monies come from?

Town Manager Burbank explained that funds were moved from lines for other emergency vehicles to obtain the Tower Truck.

Robinson said that there was over one hundred thousand dollars (\$100,000) in the line for the Hahn Tower Truck. The Town appropriated one hundred thousand dollars (\$100,000) in 2016 that was put in. Robinson continued that the one hundred thirteen thousand dollars (\$113,000) was the projected balance at the end of 2016.

CIPC Chair Hettinger said that the difference between the two hundred forty thousand dollars (\$240,000) to purchase the bare truck and two hundred eighty thousand dollars (\$280,000) final price is the cost of the equipment for the new truck.

Public hearing for the CIP will be November 9, 2016.

C. 6:00 P.M.: Master Plan Update 2016: To all residents, property owners and interested persons – The Planning will hold a third Public Hearing on the proposed 2016 Update to the 2003 Master Plan starting at 6:00 PM. Public Participation is encouraged.

- a. Digital draft of the proposed 2016 Master Plan update is available on the Town website at www.lincolnnh.org (link on the right hand corner of home page).
- b. Digital copy of the old 2003 Master Plan is on the Town website at www.lincolnnh.org (under Links on the top of the left hand side of the Planning Board page)
- c. Hard copy can be read at the Town Offices and at the Lincoln Public Library
 - i. Town Offices are open Monday – Friday 8 AM – 4:30 PM
 - ii. Lincoln Public Library is open Monday – Friday 10 AM – 8 PM, and Saturday 10 AM – 2 PM

Motion to open the public hearing.

Motion: OJ Robinson

Second: John Hettinger

All in favor: (5-0)

Myles Moran said that he has had a chance to read the draft Master Plan (MP) update. One of his major concerns is the proposed Village Center (VC) District expansion. The area along Main Street from Dodge Place north on Main Street, south to West Street on Main Street is comprised primarily of single family homes and residential dwellings. The MP update states that to keep the character of Main Street the residential areas should be preserved. At the same time the MP update reads that there is a need for workforce housing and workforce housing should be allowed in this same zone. Moran believes that is in direct conflict with the planning goals in Lincoln. Moran said that with these proposed changes to the MP, the MP, as written, would encourage the Town to accept this area as a future area for development.

Moran noted that the Planning Board should be aware that the Town has received a petition for a warrant article affecting five (5) of the lots along Main Street. The Petition asks the Town to vote to change the zoning district designation for the five (5) lots “back to residential zoning”. The petitioned Warrant Article will be on the ballot for the next annual Town Meeting in March of 2017.

Moran said he remembered that the Town had three (3) meetings for workforce housing this year “with a large opposition and little to no support for it from the townspeople”. Moran sees “people” (Planning Board members) using that as their avenue to making the proposed zoning change by saying, “it’s in the Master Plan”. The Master Plan as proposed says that the Zoning Board has the right to override the density in this zone by the way it is proposed in the Master Plan. This cuts into what Moran feels is the “heart” of the Lincoln residential single family homes area that was laid out by the paper company in the 1940’s.

Moran said there is property on the south side of Main Street that is undeveloped or still has the potential to be developed. Moran said he thinks it makes sense for the Planning Board to change the zoning district for the undeveloped property along the south side of Main Street to be “commercially zoned”. Moran does not believe that any infringement into the single family home lots in the village residential areas should be allowed. This change is not in the “vision” of what the Town of Lincoln residents would like to see.

Moran said that he attended a Board of Selectmen's meeting last week where they talked about providing an incentive to encourage the development of workforce housing. The idea was somewhat well received by the Selectmen. Moran understands that the Selectmen will go to further discussions about whether a proposition by AHEAD may be permitted by the residents of the Town of Lincoln. Moran thought that if AHEAD was successful in developing workforce housing in Lincoln, that "it would take care of housing in Lincoln for some time to come".

Moran said he could not understand, after two or three meetings last year and hearing from the residents, how the Planning Board came up with the idea of changing the zoning district designation for the few lots back on each residential road on the north side of Main Street to "commercial". Moran said he felt that if the Master Plan update was approved as it was written today that it would "pave the road" for changing the zoning district of that residential property to "commercial". Moran said he thought that was wrong. Moran said he wished that attendance at the Planning Board was more than it is today and felt that people "either don't know or don't care", but he was glad to have been given time to state his point.

Karin Martel said that Moran has already stated everything that she would have said. She said she agreed with Moran that the zoning district designation for the residential homes in the downtown area that are not directly on Main Street should not be changed to a "commercial zoning" district.

Margaret Martin was in agreement with both Martel and Moran. Martin said that her home is located in that area and she did not want the zoning for her area changed.

Robinson said he believes that the Planning Board's job is to present this proposal to the public and then to listen to the people's responses. Members of the public have asked good questions about pushing the Village Center (VC) District zone back along Main Street, changing it from "residential" into a "commercial" area. He understands that the Master Plan is only a "vision," but the lots on West, LaBrecque and Franklin Streets up to Maple Street, are small well-established residential lots. Robinson thought that the public made a valid point: Are we preserving the neighborhood or promoting development? Robinson reiterated that the Master Plan is not proposing any specific zoning changes, but does lay out the idea that the Town wants to spread this commercial activity into the residential zones. Robinson said he was not sure that it should be in the Master Plan.

Members of the Planning Board and members of the public looked at a map where the areas denoted that were suggested to change from Village Residential (VR) District and General Residential (GR) District to General Use (GU) District.

Hettinger thought that the area currently designated as the General Use (GU) District and that the Planning Board has suggested be changed to Village Center (VC) District was another area that should be looked at. Hettinger felt that if it makes the citizens of the Town more comfortable not showing these potential changes, that they should not be shown. Hettinger said that although the Planning Board thought it might be a good thing to do, if the residents in the town are against it, it should not be written into the Master Plan.

There was a long discussion about the zones and proposed changes in the Master Plan.

Robinson said that one of the subjects the Planning Board looked at was creating a workforce housing overlay district. That could even be a second story on a home or making a single home a duplex. Robinson said that perhaps that may be more appropriate than expanding the “commercial” zone.

Chair Spanos said that there should be another hearing if the Planning Board is going to make another change to the map.

Town Manager Burbank asked if the Master Plan Survey commented on potential expansion of commercial property.

Bont said that the Master Plan Survey included questions about where future development should occur. The responders were given the option of “infill development”. “Infill development” means the developer would be doing replacement development on top of pre-existing development or in place of what has already been developed. In the survey responses there was substantial support for that idea, but Bont felt that supporting the abstract idea of “infill development” is different than actually seeing which neighborhoods “infill development” is going to affect. The idea of “infill development” was presented in an abstract way. For example, someone who answered that they were in favor in “infill development” could have been thinking that the “infill development” should happen near the south end of Main Street where McDonalds or Tedeschi’s are located; perhaps they were not thinking that “infill development” should take place in the residential neighborhoods north and behind Main Street. There is a big difference between these areas, but the survey did not distinguish exactly where in the Village Center (VC) District along Main Street the “infill development” would happen. They were talking about the development along Main Street, in general, and “infill development” included all that area.

Town Manager / Planner Burbank, speaking as the Town Planner, said that the Planning Board should take into consideration the folks who live in these areas and have said that they would be affected. The almost 900 responses the Town received from the Master Plan Survey do not identify exactly who answered the questionnaires. So for the next 10 year “vision”, the Planning Board should take into consideration the residents who are at the Planning Board meeting expressing their concern. It sounds like there is not a lot of interest among the residents in that area in seeing the commercial district expanded.

Chair Spanos said that some of these proposed changes from residential to commercial zoning districts were in the 2003 Master Plan and were never acted upon.

Bont said that the area of proposed “commercial” expansion on Map 2.5 entitled “Future Land Use (Detail)” in the 2003 Master Plan did not include any homes in the General Residential (GR), Village Residential (VR) or Rural Residential (RR) districts. The same map also included more properties on US Route 3 in North Lincoln to be added to the “commercial” zoning districts as well as some other properties along Route 112.

Hettinger recommends the Planning Board remove areas on the Master Plan map (“Proposed Village Center District Expansion”) that propose sections of General Residential (GR), Rural Residential (RR) and General Use (GU) going back one or more lots along Main Street be changed to Village Center (VC). Hettinger said that the Master Plan is not a legal document anyway, but removing the map will take the proposed expansion area out of the Planning Board's command and direct more what the residents want. Robinson said that is more like what the Master Plan is supposed to be.

Grant said that those areas toward the eastern end of Main Street are already commercial. The Master Plan’s “Proposed Village Center District Expansion” Map does not show that, but Grant thought it would be appropriate to expand the “commercial” along Main Street all the way to the Common Man Restaurant (Map 117, Lot 102 & 103). Some of that land is not fully developed but it is “infill development”, including at the corner of Dodge Place. Grant said that those lots that bound the Main Street are more likely to be “commercial” than “residential”. Moran said the “Marcalus lot” (Tax Map 122, Lot 001) should be “commercial” as well.

The Board had a long discussion about the map titled “Proposed Village Center District Expansion” and which lots should or should not be proposed as “commercial” or Village Center (VC) District.

The map will be redrawn with changes for the next meeting:

- Remove all lots that do not directly abut Main Street from the Village Center (VC) District; and
- Add the Marcalus lot on the northeast side of Main Street to the Village Center (VC) District.

Motion to Close Public Hearing

Motion: Paula Strickon Second: John Hettinger All in favor: (5-0)

Next meeting is November 9th. There will also be CIP and two Site Plan Reviews in that meeting.

- 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

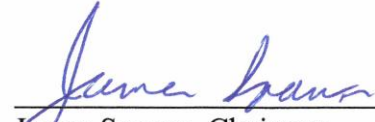
Motion to adjourn at 7:15 PM.

Motion: OJ Robinson Second: John Hettinger All in favor: (5-0)

Respectfully submitted,

Wendy Tanner,
Planning and Zoning Recorder

Date Approved: 11 / 9 / 16



James Spanos, Chairman

Appendix A.**Survey Question 6:** Where should future development occur in town?*930 people responded to the survey: 768 answered, 162 skipped this question **

A. New Development around Village Center:	42.32% (325 Responses)
B. Infill or replacement development within Village Center – “Infill” development means rededicating or repurposing property already developed:	31.25% (240 responses)
C. Along US Route 3, south of exit 33 off US Route 93	5.86% (45 responses)
D. Along US Route 3, north of exit 33 off US Route 93	6.25% (48 responses)
E. Along NH Route 112 (Main Street/Kancamagus highway) up to Forest Ridge Drive	7.29% (58 responses)
F. Expand the boundaries of the Village Center to Pollard Road to include the side streets in between Main Street and Pollard Road	7.03% (54 responses)

Survey Question 6: Where should future development occur in town?*930 people responded to the survey: 768 answered, 162 skipped this question**Of the 930 people who submitted a response to the survey, 259 people handwrote multiple answers or different answers to this question than were offered by the survey.*

Handwritten responses:

A. New Development around Village Center:	5.41% (14 Responses)
B. Infill or replacement development within Village Center – “Infill” development means rededicating or repurposing property already developed:	45.17% (117 responses)
C. Along US Route 3, south of exit 33 off US Route 93	17.37% (45 responses)
D. Along US Route 3, north of exit 33 off US Route 93	18.91% (49 responses)
E. Along NH Route 112 (Main Street/Kancamagus highway) up to Forest Ridge Drive	36.29% (94 responses)
F. Expand the boundaries of the Village Center to Pollard Road to include the side streets in between Main Street and Pollard Road	25.10% (65 responses)
G. No More Development	7.34% (19 responses)