

LINCOLN PLANNING BOARD
REGULAR MEETING MINUTES

UNAPPROVED

WEDNESDAY, AUGUST 22, 2012 – 6:00PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH

Present: Pat Romprey (Chairman); Jim Spanos (Vice Chairman); John Hettinger (Clerk); Paula Strickon, Chester Kahn (alternate) and Selectman's Representative O.J. Robinson

Staff Present: Michael Asciola, Planning and Zoning Administrator; Peter Joseph, Town Manager

Members Absent: Ivan Saitow (alternate)

I. CALL TO ORDER: by Chairman Pat Romprey at 6:05 P.M.

II. CONSIDERATION of Draft Meeting Minutes of August 8, 2012.

Chairman Romprey postpones consideration of minutes to a later time to allow the Request for Conceptual Review to proceed.

NEW BUSINESS:

III. REQUEST FOR CONCEPTUAL REVIEW

Lincoln South Mountain Partners represented by Russell Cooley, requests the Planning Board's review of a potential residential development consisting of 18 units in a duplex configuration. The 25 acre parcel is located between Cooper Memorial Drive and Bunker Lane identified at Tax Map 118 Lot 003, situated in the General Use (GU) Zone. The applicant's engineering work is being preformed by Horizons Engineers.

Chester Kahn recused himself from the Board for this item and disclosed is relationship as an abutter to the proposed development.

Russell Cooley, of Lincoln South Mountain Partners presented the conceptual 18 unit subdivision plan to the Board with assistance from Justin Daigneault and Mike Duffy of Horizons Engineering. Mr. Cooley explained that he is presenting new plan for the property that had previous received the Board's conditional approval. However, the applicant stated that they where no longer looking to move forward with that development. Peter Joseph stated that one condition of that approval was related to obtaining a permit from the Army Corp of Engineers and that application had expired and would not be obtained, rendering the previous Planning Board approval null and void. Mr. Romprey asked that the applicant formally withdraw his previous application before officially submitting a preliminary subdivision plan for the new proposal, as a matter of clarity.

Mr. Cooley stated the proposed subdivision will utilize only a portion of the subject parcel, with the majority of the parcel being unused for potential future use. He also stated that the access for the proposed development would be directly off Cooper Memorial Drive and will not use Bunker Lane, as previously proposed. He also explained the open space easement on the parcel in favor of the Links Phase 1 Subdivision and the proposed developments intentions to preserve this open space. Mr. Asciola asked that Mr. Cooley provide the Board with the easement language in the submission of the preliminary subdivision application in order to assess the applicability of this area in their density calculation, as well as verify the restrictions and maintenance required by the developers and future homeowners association. Mr. Daigneault stated that it was not the applicant's intention to factor this area into the density calculation.

Additional discussion continued highlighted by the following recommendations made to the applicant:

- relocation of the stormwater pond as far as possible from the houses to protect homeowners from insects
- reduction of paved surface by reducing the parking areas between the houses and roadway
- alignment of the proposed road with the entrance to the Rivergreen development opposite Cooper Memorial Drive
- pedestrian walk ways or trails be integrated into the plan
- provide verification the stormwater pond may be located or partially located within the flood zone
- a site walk be scheduled at the time of the preliminary subdivision plan submission

The Board concluded that the conceptual plan presented seemed to be in general conformity with the Town Plan, Land Use Ordinance Plan, and existing development pattern. They informed the applicant that they believed the proposed conceptual plan was appropriate to move forward with the preliminary subdivision plan application process and thanked the applicant for his presentation.

OLD BUSINESS:**IV. SIGN ORDINANCE ENFORCEMENT AND IMPROVEMENT CONTINUED**

Staff briefing of progress of enforcement and outreach efforts, violations issued, ordinance appeal language and recodification of Article IV-B.

Mr. Asciola briefed the Board on the ongoing sign ordinance enforcement effort and updated them on the status of recent violations and the correctional measures being taken by violators to conform to the ordinance. He also provided the Board with the final draft of the letter addressed to business owners regarding temporary signage. This letter has been incorporated in to the minutes.



TOWN OF LINCOLN NEW HAMPSHIRE
P L A N N I N G & Z O N I N G
 D E P A R T M E N T

PLANNING BOARD
ZONING BOARD OF ADJUSTMENT

August 14, 2012

Dear Lincoln Business Owners and Managers,

We hope you are enjoying this beautiful summer and your business is doing well here in the Town of Lincoln. Our local businesses play a focal role in defining our community's image. Our Town is fortunate to have so many dedicated and hard working people who help create our unique and desirable community. Thank you for all the energy and vitality you put into your business and our community.

In an effort to help create a more aesthetically pleasing and orderly environment that fosters economic development, the Planning Board is contemplating revisions to Article VI-B, (Sign Ordinance) of the Land Use Plan Ordinance. Specifically, at this time the Board's focus is on temporary signage. There have been many complaints regarding banners, non-governmental flags, portable signs (e.g. A-frame style) and other non-compliant signage that is out of balance and inconsistent with the community's vision set forth in the Town of Lincoln's Master Plan.

Before any changes to the ordinance can be contemplated, it is important to assess the ordinance that is in place. In order to do so, the Board has identified conformity to the existing ordinance as an essential element in assessing the success and shortfalls of the ordinance. The Board has directed the Planning and Zoning Administrator, Michael Asciola, to make a concentrated town-wide effort to identify sign violations and bring these into conformity with the existing ordinance standards.

Attached with this letter are ordinance sections relevant to temporary signage for your reference and clarification. The entire sign ordinance can be obtained online at <http://www.lincolnnh.org/documents/documents/LUPO-2012-.pdf>, (the Sign Ordinance is found on pages 51 – 63) or by visiting the Planning and Zoning Department in Town Hall at 148 Main Street.

Please take the time to assure your business is in compliance with this ordinance, as it is your responsibility to know and follow all Town ordinances. Should you have any questions related to zoning or ordinance interpretation, please contact us at the number and addresses provide on this letter and we will be happy to assist you.

Thank you for all that you and your business do in helping us reach for our goals of creating a more enjoyable, livable, and desirable community.

Sincerely,

Chairman Patrick Romprey
on behalf of the Planning Board

cc: Board of Selectman; Peter Joseph, Town Manager; Planning Board and ZBA Members

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Banners

Section B. DEFINITIONS

4. Banner: An imprinted sign made of fabric, cloth or other flexible material that might be suspended by one or more staffs or attached to the side of a building or railing serving as an invitation to do business, announcement or advertisement.

Section D. DIMENSIONAL AND DISPLAY SPECIFICATIONS

3. Banner: A maximum of two (2) banners per business are allowed. Banners may be one (1) or two (2) sided and shall not exceed thirty-two (32) square feet. A Banner may be suspended, attached to the side of a building or railing or otherwise supported and serves as an invitation to do business, announcement or advertisement. Each banner may be displayed for no more than an aggregate of one hundred and twenty (120) days per calendar year. If a business closes for the season, Banners must be removed.

Flags

Section B. DEFINITIONS

10. Flag: A piece of cloth or fabric varying in size, color, and design used as a symbol, standard, signal, or emblem, usually attached to a staff or hung from a structure.

Section D. DIMENSIONAL AND DISPLAY SPECIFICATIONS

9. Flags: Non-governmental flags that have symbols, emblems, logos or words, such as, "Open", "Antiques", etc, are limited to one per business. The maximum size of non-governmental flags shall not exceed fifteen (15) square feet.

Note: It is also illegal for flags of any kind to be hung on displayed in a fashion where any portion of the flag to overhang a public sidewalk or right of way. There are many businesses along Main Street that are in violation and will receive a violation notice unless corrected.

Merchandise Signs

Section B. DEFINITIONS

16. Merchandise Sign: Goods, vehicles, or other items that may be bought, sold, leased or repaired, and are the commodities of or represent the commerce of a business, that are strategically displayed for the sole purpose of advertising a business, or merchandise with advertising applied or affixed to the merchandise for the sole purpose of advertising a business are, by definition, a sign

Section D. DIMENSIONAL AND DISPLAY SPECIFICATIONS

15. Merchandise Sign: Merchandise Signs are not allowed.

Portable Signs

Section B. DEFINITIONS

21. Portable Sign: A sign capable of being readily removed or relocated, and not attached to the ground, a building, or another sign. This includes, but is not limited to, moveable signs mounted on a chassis with wheels or support legs, any type of "A" frame or sandwich board sign.

Section D. DIMENSIONAL AND DISPLAY SPECIFICATIONS

19. Portable Signs: Only one (1) Portable Sign is allowed per business. The maximum size of a portable sign will be twelve (12) square feet. Portable signs must be placed within twenty-five (25) feet of the primary entrance to the business. All portable signs shall be removed from public view when the business is not open.

Vehicle Signs

Section B. DEFINITIONS

29. Vehicle Sign: A vehicle with words, letters, figures, designs, symbols, or graphics applied or affixed to its sides, front or back or a sign attached anywhere on the vehicle that is then parked at a location so as to display rather than to be used primarily as a vehicle is, by this definition, a sign.

Section D. DIMENSIONAL AND DISPLAY SPECIFICATIONS

26. Vehicle Signs: Vehicle Signs are not allowed.

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V. OLD BUSINESS: SPECIAL EVENT REVIEW, STREET AND SIDEWALK VENDORS ORDINANCE AND TEMPORARY SALES LOCATIONS CONTINUED

Overview of recent issues involving these three similarly related subjects. While these are closely related land-use items, each is addressed in different Town Ordinance causing overlapping and contradicting standards.

The Board reviewed a proposed ordinance amendment outline for temporary land uses and a draft of proposed ordinance revisions prepared by staff. Mr. Asciola presented the proposed ordinance amendments. He explained that the existing Street Vendors Ordinance, temporary sales location section of the LUPO, and the special event section of the SPRR, where closely related uses that shared overlapping and contradictory regulations. However, all three had unique application processes and different reviewing authorities.

He further explained that the objective of these amendments was to consolidate these regulations, clarify where these regulations are applicable, create a more user friendly format and streamline the application processes. He stated that these proposed amendments were mostly administrative in nature and focused on creating processes and requirements that more adequately address these issues.

Additionally, the Board discussed the following aspects pertaining to these issues:

- creating an administrative review process by staff for small scale temporary uses
- develop application processes and requirements more specific to these applications rather than applying full comprehensive site plan review regulations and process
- consolidate all land use fee scheduled to an appendix to the LUPO
- signage supporting temporary land uses will be approved as a part of the temporary land use application process

V. REVIEW AND COMMENT: on the MATRIX REPORTS and OPEN FILES pertaining to:

- A. Building Permit Applications
- B. Land Use Subdivision and Site Plan Applications/Approvals
- C. Sign Permit Applications
- D. ZBA Applications
- E. Violations

Mr. Asciola briefed the Board of new applications and permits contained in the matrix report, as well as, violation notices issued.

VI. PUBLIC PARTICIPATION AND OTHER BUSINESS:

Mr. Romprey introduced Paula Strickon as the newest member of the Planning Board replacing Deanne Chrystal, who resigned due to her relocation out of town. The Board acknowledged Mrs. Chrystal's dedicated service to the Town and welcomed Mrs. Strickon to the Board.

VIII. ADJOURNMENT

Motion by John Hettinger.

Second by Jim Spanos.

Motion carries unanimously by all members present

The meeting was adjourned by at 7:45 pm.

Respectfully submitted,

Michael Asciola

Dated: October 22, 2012

Pat Romprey, Chairman