

LINCOLN PLANNING BOARD  
REGULAR MEETING MINUTES

APPROVED

WEDNESDAY, SEPTEMBER 26, 2012 – 6:00PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH

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

**Staff Present:** Michael Asciola, Planning and Zoning Administrator

**Members Absent:** Clerk John Hettinger and Ivan Saitow (alternate)

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**I. CALL TO ORDER** by Chairman Pat Romprey at 6:00 P.M.

Mr. Romprey called the meeting to order.

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**II. CONSIDERATION** of Draft Meeting Minutes to be reviewed at the next meeting.

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**III. Review of a Proposed Acquisition or Sale of Municipal Land in Accordance with RSA 41:14-a.**

**PROPOSAL:** The Board of Selectman, seeks the Planning Board's review of a proposed real estate transaction involving the sale of a parcel of Town owned land and make a recommendation for further action in accordance with RSA 41:14-a. The parcel of land involved in the proposed transaction is approximately 16,086 sq ft (0.37 acre) in area, located on Salem Way and identified as Tax Map 109 Lot 020. The parcel is situated in the Small Business District (SBD) Zone and Lincoln Business Park (Lot 6).

Chester Kahn recused himself from the Board to present the details of the proposed real-estate transaction on behalf of Remax in the Mountains, whose brokers represent both parties in the transaction. He explained the buyers were looking to relocate their machine shop from Massachusetts to Lincoln, where they own a second home, which would become their primary residence. Their plan was to construct a 40 foot by 80 foot building on lot 6 of the Lincoln Business Park. The machine shop would employ two (2) full-time employees and three (3) part-time employees with the intention of expanding the business and workforce when financially feasible. Mr. Kahn also stated that one reason the buyers were interested in lot 6 was that there are vacant lots abutting the property, which would provide them a better opportunity to purchase an abutting lot to expand their business.

Mr. Romprey asked Planning and Zoning Administrator Michael Asciola, if his research of the proposed transaction was within fair market value and an overall benefit to the Town. Mr. Asciola stated that the proposed price seemed to be within fair market value and was supported with examples of comparable sales. He also stated that the Lincoln Business Park is a major economic development component of the Town's Master Plan and the proposed sale would directly result in the creation of jobs and the diversification of industry. He also stated that the creation of the Lincoln Business Park dates back decades, but to date it remains vacant land equipped with utilities and infrastructure.

OJ Robinson stated that there was an error relating to this item on the agenda. The agenda stated that Mr. Kahn represented the Town in this transaction. However, Mr. Robinson clarified that Mr. Kahn actually represented the buyer and the Town was represented by Kevin McNamara, both agents for Remax in the Mountains. Mr. Kahn agreed stating that his agency had dual representation over this transaction. Mr. Asciola apologized for the error and stated that he would make sure this correction would be put on the record.

Mr. Robinson also wanted to point out on the record that the most comparable real-estate transaction was on a third (1/3) of an acre parcel located on Route 3 which sold in the previous month for \$63,000.

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Jim Spanos asked if the buyers had requested that the Town waive any of the water and sewer impact fees. Mr. Kahn stated that this was not requested and that the buyers had in fact submitted a check to the Town for these fees with a land use authorization permit application.

Mr. Romprey informed the Board of their potential action on this item to recommend the transaction, in favor of, against and in favor of with conditions.

**A Motion by Mr. Romprey was made recommending in favor of the transaction.**

**Second by Mr. Spanos**

**Motion carries unanimously by all voting members present 4-0.**

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#### **IV. SIGN ORDINANCE REVISIONS**

#### **V. TEMPORARY LAND USE ORDINANCE REVISIONS (SPECIAL EVENTS, TEMPORARY SALES LOCATIONS, AND TRANSIENT VENDING)**

Agenda Items IV and V were discussed together as one item.

Mr. Asciola gave an overview of the twenty five (25) page handout containing proposed ordinance reformatting and revisions aimed at making the application processes more transparent and making the ordinance more user friendly. He explained that there was still some work to be done and some board input needed. The board discussed the revisions.

Mr. Spanos questioned whether a non-conforming sign would be allowed to be rebuilt under its grandfathered right or if it would have to be rebuilt to conform to the current ordinance standards. General discussion ensued relating to general maintenance, undue costs to the business owner, and the process, cost and time involved in a Board of Appeals application to replace the sign.

Mr. Romprey stated that there are no proposed changes in front of them at this time that address this issue. He also stated that the intent of the ordinance was to bring all signs into compliance with the desired standards they enacted. He continued that this was one way where unwanted non-conforming signs could be eliminated and that the BOA could decide and allow on a case by case basis non-conforming signs to be rebuilt.

The Planning Board made the following recommendations:

- Page 5        Yard sale signs not be displayed more than 4 days.
- Page 16      Temporary sign violations be corrected within 7 days.

Mr. Romprey called a 5 minute break and asked that the Board continue this item following hear from Schorr Berman of Saber Mountain Landing under Item VI.

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#### **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

Skipped due to time.

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**VI. PUBLIC PARTICIPATION AND OTHER BUSINESS:**

Schorr Berman of Saber Mountain Landing, LLC, came before the Board seeking their opinion and guidance in making a minor alteration to the Landing at Loon Mountain, a 2005 Planning Board approved subdivision. Mr. Berman explained that the plan was approved with cul-de-sacs designed at the end of both Buck Road and Back Forty Road and they were seeking to redesign the cul-de-sacs to a “hammer head”.

Mr. Berman explained that the project’s state stormwater permit had expired in March and both the State and the applicant’s engineer had suggested changing the cul-de-sac design to a “hammer head” design, as a better ecological design, during the reapplication process. He also informed the board that this design would substantially reduce the amount of impervious surface and also give the development more consistency in form, as these were the only two roads in the development designed as cul-de sacs.

He continued to explain that they were in the process of excavating Back Forty Road and having to haul fill off-site that they could use in the construction of the “hammer heads”. He stated that they could save resources by using this fill on-site, rather than having to haul it out and then at a later time, haul it back in.

Mr. Romprey stated that, as a member of the Fire Department and driver of the tower truck, he preferred “hammer head” designs as opposed to cul-de-sac designs for the maneuverability. Mr. Asciola stated that in his experience “hammer heads” were the preferred design both ecologically and financially. The Board advised the applicant to submit an application to amend the cul-de-sac designs with corresponding lot line adjustments and revised drainage plans and the Board would hold a public hearing at the next available meeting.

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**IV. SIGN ORDINANCE REVISIONS****V. TEMPORARY LAND USE ORDINANCE REVISIONS (SPECIAL EVENTS, TEMPORARY SALES LOCATIONS, AND TRANSIENT VENDING)**

Continued...

Additionally, the Planning Board made the following recommendations:

- Page 18      Would like to make changes to the “Permanent Approval” process for special events such as changing the name to “recurrent approval”, making a requirement for applicants to notify the Town annually with administrative process that would also include their sign permit application, and public safety coordination.
- Page 19      Would like to see that the application has been reviewed and is acceptable to the Police Department per RSA 105:9.
- Page 22      The number of allowable signs by the Planning Board be 15.  
Add flags to type of allowable signage.

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**VIII. ADJOURNMENT**

**Motion by Mr. Spanos**

**Second by Mrs. Strickon**

**Motion carries unanimously by all members present**

The meeting was adjourned by at 8:01 pm.

Respectfully submitted,

Michael Asciola

Dated: October 10, 2012

  
Pat Romprey, Chairman