

LINCOLN BOARD OF SELECTMEN'S

APPROVED

MEETING MINUTES

MAY 3, 2021 – 5:30PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

(THE RECORDING OF THIS MEETING CAN BE FOUND ON YOUTUBE)

Board of Selectmen Present via Zoom: Chairman OJ Robinson, Vice Chair, Tamra Ham and Selectman Jack Daly

Staff Present via Zoom: Town Manager Burbank, Fire Chief, Ron Beard, and Administrative Assistant, Jane Leslie

Public Present via Zoom Video Conferencing: Mary Conn, Dave Beaudin, and Paul Beaudin

Public Present: *There was no public present*

I. CALL TO ORDER

Chairman Robinson called the meeting to order at 5:30 pm.

II. APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETING

MOTION: “To approve the BOS meeting minutes of April 26, 2021 as presented.”

Motion: Tamra Ham

Second: Jack Daly

Motion carries.

Abstained: OJ Robinson

MOTION: “To approve the Non-Public BOS meeting minutes of April 26, 2021 as presented.”

Motion: Tamra Ham

Second: Jack Daly

Motion carries.

Abstained: OJ Robinson

III. REVIEW OF APPLICATIONS FOR VETERANS TAX CREDITS AND ELDERLY EX-EMPTIONS

Applications have been reviewed by the Assessing Clerk, Johnna Hart and submitted for the Boards approval. Elderly Exemption: \$50k (65-74-years old); \$75k (75-79-years old), and \$100k (80+ years old) and Veterans Credits: \$500 (regular) and \$2k (disabled).

Elderly Exemptions:

The Board reviewed the three (3) Elderly Exemptions being removed (there were no Elderly Exemptions being added), and the following motion was made:

MOTION: “To approve the 2021 Elderly Exemptions/Removals as proposed by Johnna Hart, Assessing Secretary.”

Motion: Jack Daly

Seconded: Tamra Ham

All in favor.

Veterans Credits:

The Board reviewed the seven (7) Veterans Credits being removed; two (2) Veterans Credits being added, and one (1) Veterans Credit being denied, and the following motion was made:

MOTION: “To accept the 2021 Veterans Credits/Removals/denial as proposed by Johnna Hart, Assessing Secretary.”

Motion: Tamra Ham

Seconded: OJ Robinson

All in favor

IV. OLD/NEW BUSINESS

Town Manager’s Report

Review Land Use Planning Application (LUPA) Standard Procedures for Review & Approval

Town Manager Burbank explained that he recently collaborated with town staff to create a flow chart and written procedure (*see attached*) on how a Land Use Permit is processed once it arrives at Town Hall. Burbank noted that during this process they discovered that several permits were not completed because the applicant and/or their consultant(s) failed to respond to the Planning Department’s request for additional information. Burbank explained that from here going forward everything will be date/time stamped, and all verbal communications will be noted in writing so there is a written record and comments relative to the individual LUPA. Selectman Daly remarked that all staff communications (Ron Beard, Carole Bont, Lisa Peluso) with an applicant need to be consolidated so there is an annotated record of all discussions between the town and the applicant (and their consultants). Burbank also noted that the AG’s Office has signed off on the new covenants for the Landing (26 properties up at the Landing have been transferred), and Burbank suspects that the Planning Department is going to get very busy in the coming months with new construction projects.

Chairman Robinson asked if there had been any progress with the gentleman (Mr. Galant) who offered to create an online Land Use Planning Application (LUPA) for the town. Town Manager Burbank responded that he has not heard from anyone and was not certain if staff has made contact. Robinson noted that in his initial email communication with Mr. Galant, he informed him that Lisa Peluso had been tasked with being the liaison between the Town and Mr. Galant, and asked Burbank to follow up and report back to the board next Monday.

Selectman Daly commented to the Board that he read in the local newspaper a few weeks ago that the Town of Bethlehem recently hired an outside Planner to assist them with their commercial properties only, and thought that this may be something that Lincoln may want to consider with all costs being covered by the applicant(s).

Water Storage Tank Assessment (Weston & Sampson)

Town Manager Burbank informed the board that the Weston & Sampson Water Storage Tank Assessment is in, and questioned the board on how they wanted to proceed. A discussion ensued on the best location site for the water storage tank. Burbank feels that the town should focus its efforts on the Indian Head tank site as this will have to be done sooner than later, and possibly freeze development up at South Peak (CRVI) until they put in the water storage tank as stipulated and agreed upon years ago. Robinson suggested that they discuss the fact that the town has \$1M in matching grant funds to build a water storage tank, and that the town will put the tank in up at South Peak in collaboration with the South Peak owners (they must participate), otherwise, the town will focus its efforts on the Route 3 corridor and either expand the Indian Head water tank, or look for an alternate location.

BOS Work Session – Tuesday, May 4th at 9am

The BOS and Town Manager Burbank will be meeting tomorrow via zoom with FC-Loon to discuss the water issues up at South Peak.

July 4th Parade and Fireworks

Town Manager Burbank informed the board that Woodstock BOS met last Tuesday and are fully supportive of holding this year's July 4th Parade and fireworks display.

Asset Management Program

Weston & Sampson are currently working on the pre-grant application (at no cost to the town) for the Wastewater Treatment Plant and Pump Station asset management projects which must be submitted no later than June 1st.

OLD BUSINESS:

Selectmen's Goals

The board agreed to postpone the review of the Selectmen's 2021 goals until next week (May 10th) when they are all together.

35 Goodbout Road (M/L 107-026) garage addition constructed in towns right-of-way

Selectman Ham asked if the property owner (Raymond Correale) at 35 Goodbout Road who built an addition onto his garage without the proper permitting (in the town's right-of-way as well as in the setbacks) ever took the garage down as requested by the Board of Selectmen last year? Chief Beard responded that he spoke with Mr. Correale last month, and his son also came to town and delivered the survey to him, however, Beard noted that he took photos of the garage after he received the survey, and it now appears that there is *another* addition that has been added to the rear of the structure (may be a greenhouse) *again* without obtaining any permits. Beard noted that he will be following up with a written cease and desist enforcement letter of which Mr. Correale can then appeal to the appropriate board.

NEW BUSINESS:

Sansoucy Assessing Proposal (ski areas):

Chairman Robinson asked if there was anything in writing about the assessment proposal being offered by Skip Sansoucy for assessing services for the town's ski areas/resorts. Town Manager Burbank responded that he spoke with Commerford Neider Perkins (CNP - town's assessors) who explained that what Sansoucy is offering to the town is similar to what CNP offers, however, they use different methodologies. Burbank also commented that Sansoucy's fee would be considerably higher than what the town would be saving with CNP. Robinson explained that he is not comfortable making any decisions based on theoretical ideas or concepts, and suggested that Burbank provide the actual proposal/contract to the Board of Selectmen for review prior to making any decisions. Selectman Daly feels that changing assessors for the ski areas could potentially cost the town a significant amount of money, and if the board is pleased with CNP, there is no reason to change now.

Water Infrastructure Issues:

Town Manager Burbank explained that the communication system at the Water Treatment Plant lost connection last week between the intake pumps causing the Water Treatment Plant to lose automatic internal control of the tank levels (faulty antenna issues) for a few days, and has since been resolved with a new antenna. Burbank further explained that a bigger problem remains because they also lost a pump at the river intake (one of the rebuilt pumps shorted out) and it was replaced with the spare pump, however, they must now purchase another spare pump for back up to replace the one that they are currently using. Burbank noted that the Water Plant is back up and running, however, there is also an additional issue with the VFD (variable frequency drive) and Weston & Sampson has been trying to locate a replacement part, however, they have been unable to locate one anywhere.

Robinson commented that there is \$35k in the Water Capital Reserve account that is allocated for intake pumps, and questioned whether or not this would be sufficient enough to cover the spare pump and VFD costs. Burbank responded that he did not think so because the pump alone costs anywhere from \$20-\$30k and he was not certain of the exact costs for the replacement VFD. Burbank reminded the board that the Water Departments budget was cut by \$10k this year which is money that could have been used towards the replacement of these components. Robinson commented that they can always reassess the CIP and move items around if necessary to cover the costs for these valuable and necessary repair parts.

Solid Waste Facility Skid Steer:

Town Manager Burbank updated the board on mechanical issues with the Transfer Stations skid steer and explained that mice had chewed through some of the internal wiring system and it had to be sent to Beauregard for repair. The total cost of the repair bill is approximately \$6,933 and not covered under the town's property liability insurance policy (Primex does not cover rodent damage).

Police Department Personnel:

Town Manager Burbank updated the board on the Police Department's newest hire, Brad Willey, who recently resigned from Woodstock Police Department. Burbank added that Chief Morris also has two (2) additional promising candidates for potential hire dates of July 1st and December 1st. Burbank commented for the record that the Town of Lincoln is in no way actively recruiting *any* Woodstock Police Officers, and Mr. Willey applied for this vacant position on his own accord, and the Town of Lincoln would *never* condone actively recruiting a neighboring town's Police Officers. Burbank also noted that Brad Willey is the son of the town's former Public Works Director, Bill Willy.

Summer Board of Selectmen's Meeting Schedule:

The Board of Selectmen reviewed the following proposed summer meeting schedule as follows: The BOS will **not** be meeting on May 17th, May 31st (Memorial Day), June 14th, June 28th, July 5th (July 4th Holiday), July 19th, August 2nd, August 16th, August 30th, and September 6th (Labor Day). The Selectmen will resume their weekly meeting schedule on Monday, September 13th. Selectman Ham expressed some concerns over the weeks where there is a 2-week gap between meetings, and Town Manager Burbank explained that they can schedule a meeting whenever they need to if something should come up (must provide 24-hour notice to the public).

MOTION: "To approve the BOS Summer Meeting Schedule: BOS **will meet on May 10th, May 24th, June 7th, June 21st, July 12th, July 26th, August 9th, and, August 23rd and then resume their weekly meetings on September 13th. Any other necessary meetings will be posted with 24-hours' notice."**

Motion: Tamra Ham

Second: Jack Daly

All in favor.

Public Participation

There was no public participation.

V. NON-PUBLIC Session Pursuant to RSA 91-A:3:(III) (c) Personnel Issue

MOTION: "To go into Non-public session pursuant to RSA 91-A:3 (III) (c)"

Motion: Tamra Ham

Second: OJ Robinson

All in favor.

The BOS went into Non-public session at 6:35 p.m.

MOTION: "To re-enter public session."

Motion: Tamra Ham

Second: Jack Daly

All in favor.

The Board reconvened public session at 6:57 p.m.

VI. ADJOURNMENT

With no further business to attend to, the Board made the following motion:


MOTION: "To adjourn."

Motion: OJ Robinson

Second: Jack Daly

All in favor.

The meeting adjourned at 6:58 p.m.


Respectfully Submitted,
Jane Leslie

Approval Date: May 10, 2021


Chairman O.J. Robinson

Tamra Ham


Jack Daly



Land Use Authorization Permit Standard Procedures for Review and Approval

The Planning Department is charged with overseeing the Land Use Authorization Permit ("Land Use Permit") process. The purpose of the Land Use Permit process is to provide minimum standards to protect the safety, health and general welfare of the public by regulating town ordinances through a program of permitting, review, inspection and enforcement.

The Planning Department is comprised of the following:

1. **Planning Board:** Comprised of elected members in charge of carrying out the future needs, wants, and vision of a community. Towards this goal, the planning board has regulatory and non-regulatory functions, which include:
 - a. (Regulatory Function) Draft, review and recommend ordinances, regulations and amendments. Including Subdivision and Site Plan Review Regulations and the Master Plan for Development.
 - b. (Non-Regulatory Function) Review and take action on applications for development that requires approvals for Subdivision and/or Site Plan Review.
2. **Town Planner:** Oversees the permitting process. Issues all Land Use Authorization Permits. Assists the Planning Board with carrying out all of its legal responsibilities.
3. **Staff Review Team (SRT):** The SRT is a quality control team that provides technical review of project plans and information submitted by the applicant and completes necessary inspections to ensure compliance with town ordinances, construction standards and to assess impacts to public infrastructure. The SRT is comprised of the Town Planner, Planning Assistant, DPW Director, Fire Chief and Town Engineer as well as the Town Manager when needed.

The Planning Department has established the following standard procedures to assist applicants in the preparation and submittal of documentation necessary to complete the Land Use Permit. Procedures are as follows:

APPLICATION PHASE:

1. Applicant shall prepare an application for a Land Use Permit. Land Use Permit applications are available on the Town of Lincoln website at www.lincoln.org or at Town Hall, 148 Main Street, PO Box 25, Lincoln NH 03251-0025.
2. Applicant shall submit an application to the Planning Department, attention Town Planner in hard copy and electronic (send pdf to planning@lincolnnh.org) format. The application shall come complete with all documentation necessary to adequately describe the nature and extent of the

work to be completed. Documentation requirements shall be determined by the Town Planner in consultation with the SRT and may include, but may not be limited to:

- a. Land Use Permit Application.
 - b. Identification of person to act as applicant's representative and point of contact with respect to the application process.
 - c. Pre-Construction Control Affidavit.
 - d. Construction documents including design plans, specifications and computations. Construction documents shall be prepared, sealed and signed by a qualified engineer/architect licensed in the State of New Hampshire. Construction documents are required for all new building construction.
 - e. Stormwater Management and Erosion Control Plan.
 - f. Application for Driveway Permit.
 - g. Water and Sewer Tap Fee and Bedroom Impact Fee Assessment Form.
 - h. Certification of Energy Code Compliance (EC-1 Form).
3. The Town Planner or designee will review the application for completeness and notify the applicant if additional documentation and information is required. **The review process will not commence until the application is deemed complete as determined by the Town of Lincoln.**
 4. The Town of Lincoln reserves the right to retain third party consultants to review documents submitted by the applicant. The applicant shall pay all costs associated with third party review. No review will commence until applicant makes deposits with the Town of Lincoln to pay for third party reviews. No approvals will be granted by the Planning Department until all third- party review fees are paid in full by the applicant.
 5. Once the application has been deemed complete, the Town Planner or designee will notify the applicant that the Land Use Permit application has been accepted as complete. Acceptance of the application is not deemed an approval of the proposed project. The applicant shall not commence work until the proper approvals are issued by the Town Planner. If applicant commences work prior to receiving proper notification from the Planning and Zoning Department, the Land Use Permit process will be terminated and no approvals will be granted.

APPLICATION REVIEW PHASE:

1. Upon notification of acceptance of Application as complete, Applicant shall submit additional documentation for the project in accordance with Town of Lincoln requirements and as required to obtain approval for the project. Documents shall be reviewed and approved by the Town of Lincoln.
2. The Town of Lincoln reserves the right to retain third party consultants to review documents submitted by the applicant. The applicant shall pay all costs associated with third party review. No review will commence until applicant signs an escrow agreement with the Town and makes deposits with the Town of Lincoln to pay for third party reviews. No approvals will be granted by the Town of Lincoln until all third-party review fees are paid in full by the applicant.
3. The review period between the date of submission by the Applicant and response on the submittal from the Town of Lincoln is not expected to exceed 15 business days.

4. If a Planning Board hearing is required as part of the process, Applicant shall submit all documents to be considered by the Planning Board to the Town of Lincoln a minimum of 7 business days prior to any Planning Board hearing on the project. No hearing shall be held on the project if this deadline is not met.
5. The Planning Board may require the applicant to post a bond or file an escrow agreement in an amount approved by the Board to guarantee conformity with the approved plan for the development and conformity with public works. Where an applicant is required to post a bond, it shall be posted prior to the start of any construction, improvement, or issuance of a Land Use Permit.

CONSTRUCTION PHASE:

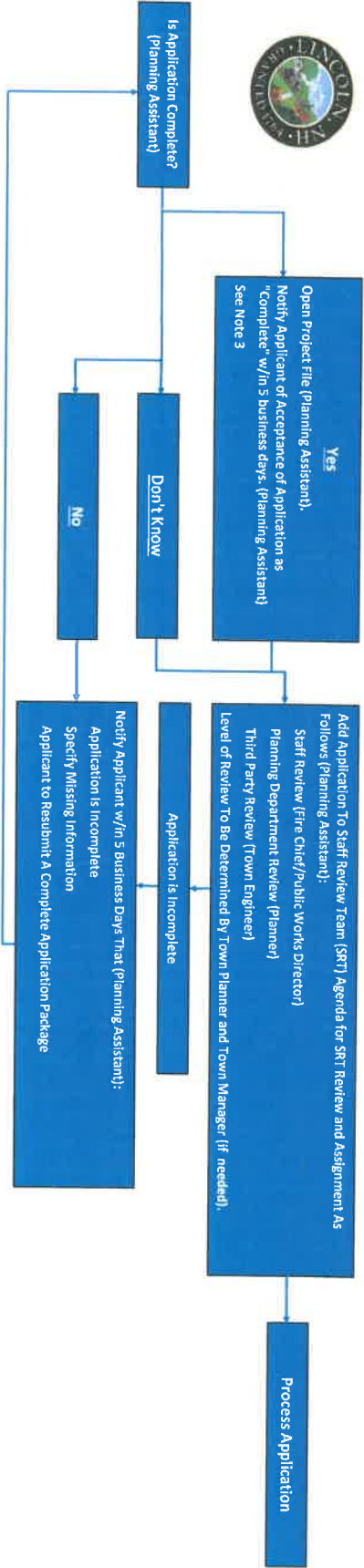
1. All work shall be completed in accordance with the documents submitted by the Applicant. Any changes made during construction that do not comply with the documents shall be submitted for review and approval by the SRT as an amendment to the application.
2. During construction, the Town of Lincoln may make periodic inspections to determine if the work is in compliance with approvals granted by the Town of Lincoln. The Town of Lincoln reserves the right to retain third party consultants to assist in the inspections. The applicant shall pay all costs associated with third party inspections. No approvals will be granted by the Planning Department until all third-party inspection fees are paid in full by the applicant.
3. During construction, the Town Planner or designee may require submission of documentation confirming work is proceeding in accordance with the documents submitted by the applicant. Documentation may include but not be limited to:
 - a. As-built foundation plan showing location of building footprint in relation to property boundaries and setbacks.
 - b. As-built drawings showing locations and elevations of utilities.
 - c. Photographs confirming proper installation of utilities, structures and building systems.Documentation shall be submitted in hard copy and electronic (send pdf to planning@lincolnnh.org) format. Foundation plans and record drawings shall be prepared, sealed and signed by a qualified surveyor/engineer/architect licensed in the state of New Hampshire.
4. Upon completion of construction, the applicant shall prepare and submit the following documentation confirming that the work was completed in accordance with the documents submitted by the applicant. Documentation may include, but not be limited to:
 - a. Final Construction Control Affidavit for each NH licensed subcontractor who worked on the project and the contractor (who is not required to be licensed by the State of New Hampshire).
 - b. Certification of Energy Code Compliance.
 - c. Amendments to the construction documents showing changes made during construction that do not comply with the documents previously submitted.
 - d. As-built drawings.

Documentation shall be submitted in hard copy and electronic (pdf) format. Final construction documents shall be prepared, sealed and signed by a qualified surveyor/engineer/architect licensed in the State of New Hampshire.

FINAL REVIEW AND ACCEPTANCE:

1. Upon receipt, review and acceptance of the documentation required, the Town of Lincoln shall complete a final inspection of the project. The Town Planner or designee shall notify the applicant if there are issues that need correction. Upon the successful completion of all outstanding issues, the Town will issue a Certificate of Land Use Compliance. A Certificate of Land Use Compliance must be obtained before the use or physical occupancy of any property, building or structure.
2. The Land Use Permit will be void if work is not started within 1 year of the date of issuance.
3. The property owner and contractor shall be responsible for complying with all local, state and federal ordinances and regulations.

**Land Use Authorization Permit
Process Flow Chart**



Notes:

1. Staff Review Team review to be completed within 15 business days of Town Planner assignment.
2. Third party review to be completed within 15 business days of receipt of executed escrow agreement and deposit.
3. Application timeline starts at acceptance of application as "complete".
4. After acceptance of application as "complete", the time required to process the permit is subject to receipt of escrow agreement and deposit (where required) and completeness, clarity and accuracy of information submitted by applicant.

