

LINCOLN BOARD OF SELECTMEN'S
MEETING MINUTES
DECEMBER 6, 2021 – 5:30PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

APPROVED

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

Staff Present: Fire Chief Ron Beard, and Executive Assistant Jane Leslie

Public Present via Zoom: Ivan Strickon, Ryan Fairbrother (Deputy Fire Chief), Paul Beaudin, Jeanne Beaudin and David Beaudin

Public Present: Debbie Celino

I. CALL TO ORDER

Chairman Robinson called the meeting to order at 5:43 pm.

II. APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETING

MOTION: “To approve the BOS public meeting minutes of November 29, 2021 as presented.”

Motion: Tamra Ham

Seconded: Jack Daly

All in favor

MOTION: “To approve the BOS non-public meeting minutes of November 29, 2021 as presented.”

Motion: Tamra Ham

Seconded: Jack Daly

All in favor

III. SOUTH PEAK PERMITS *Discussion cont'd from 11/22/21*

Chairman Robinson read a letter dated August 25, 2021 that the Board of Selectmen previously received from Planning Board Chair, James Spanos (*see attached*). Robinson outlined several key issues raised in the letter as follows: (1) fire hydrant/fire flow issues up at South Peak: Robinson explained that this was an item of contention with CRVI (former South Peak owners), however, the current owners are cooperative and working with the Town to remediate this problem (building a water storage tank). (2) square footage of homes (2,500-6,000 sq. ft.). Robinson explained that this is what was approved by the Planning Board, and in the Master Plan. The board discussed the definition of square footage per the characterization of it in the master plan which excluded garages and unfinished basements, and, (3) the footprint of the design that was approved (maximum 2,000 sq. ft. building footprint and maximum 2,000 sq. ft. gravel driveway). Square footage is defined as the sum of all gross horizontal areas of all floors of a building measured from the exterior face of walls of heated finished space including but not limited to stairways (counted on main level only), lofts, halls, habitable attics, closets, storage, mechanical and utility areas. Robinson commented that the Planning Board is asking for the town to enforce the 2,500 sq. ft. – 6,000 sq. ft. design approval, which he is in agreement with.

A discussion ensued concerning a memorandum that Town Planner, Carole Bont and Town Engineer, Ray Korber submitted to the board detailing several concerns that they had as follows: (1) the way that the building sq. ft. is defined in the approved Master Plan and the Architectural Review versus impervious surfaces would allow quadruple the amount of stormwater runoff, and subsequently jeopardize both the safety and stability of the land on the side of the mountain. Robinson noted that it is important in their clarification that they will enforce the 2500-6000 sq. ft. of “building square footage” as defined in the Planning Board approval. Also noted was anything over the 4000 sq. ft. of impervious surface will require a Stormwater Management plan (**Note:** what is being measured as impervious surface is *not* the building square footage). Robinson would like the message to be clear that the building square footage allowed is

measured by what is in the plan and approved by the Planning Board; and, the impervious foot print is measured by what is impervious regardless of how many floors, or if it's a garage, unheated, etc. (if its an impervious foot print, that is what is measured for the stormwater management).

Selectman Ham read the following **RSA 483-B:4-VII-b** as follows: "Impervious surface" means any modified surface that cannot effectively absorb or infiltrate water. Examples of impervious surfaces include, but are not limited to, roofs, and unless designed to effectively absorb or infiltrate water, decks, patios, and paved, gravel, or crushed stone driveways, parking areas, and walkways."

The second item of concern from Planner Bont and Ray Korber's memorandum was the *increase in water demand*. It is believed that by increasing the number of allowable bedrooms from four (4) to whatever number of bedrooms will increase the demand for water, not just for South Peak Resort, but for the entire Town water system. This essentially means that all of the water capacity calculations for which the Town relies upon to determine whether or not we have adequate water resources for: (a) potable water, and, (b) fire flow. A discussion ensued on the original 1,018 units that were originally approved, noting that the full build-out water supply demand that the Planning Board approved was 304,260 gpd, which is what the Town is required to provide up to South Peak (regardless of how many bedrooms). Robinson agreed to draft a memorandum to the Planning Board and Planning Department in response to their concerns, and the board will discuss again at their next meeting (12/13).

MOTION: "To open the meeting up to public comment for this one issue."

Motion: Jack Daly

Seconded: Tamra Ham

All in favor

Paul Beaudin commented that the board should pay particular attention to the following: (1) heated finished space above the garages and the building sq. ft. relative to the stormwater protection because it does not appear that the letters submitted by the homeowners concerning inadequate fire protection are not receiving the attention requested. Paul noted that Planning Board approvals are contingent upon being able to provide adequate fire protection to the units that are already there, and if not, then the question remains whether or not their permits are valid? (2) homeowners that do go over the 4,000 sq. footage can apply for a waiver for stormwater protection. Paul also expressed concerns over the 4 bedrooms because no one knows whether the home is being used as a full-time, part-time or short-term rental property.

MOTION: "To close the public comment."

Motion: OJ Robinson

Seconded: Jack Daly

All in favor

IV. OLD/NEW BUSINESS

Town Hall (Manager's) Report

March Town Meeting:

An application has been filed with Lin-Wood School for March 8th Town Meeting.

Proposed Safety Services Building:

Steve Tower began surveying the two (2) parcels of town-owned land on Pollard Road and Mansion Hill. Tower noted that there is a parcel abutting the town land that is substantially encroaching on to the town property.

Tax Rate:

The tax rate has been set (\$10.54) based on the new assessments that were recently released, and the tax bills should be mailed out this week. The following is the breakdown: Municipal: \$5.07; County: \$1.41, Local Education: \$2.55, State Education: \$1.51 = \$10.54. Selectman Ham noted that the valuation went up from \$8,333,455 up to \$1.2 billion.

Paul Beaudin asked the board if they would be increasing the elderly exemption? Jeanne Beaudin also noted that the board needs to look at the fact that Elderly Exemption is anyone over 65-years of age, and the asset and income limitations need to be revisited based on the increased and overall assessed value in town. Jeanne noted that this is going to significantly impact the elderly population who own their own homes in this community. Robinson responded that he has no problem looking at this and having a discussion, however, he noted that in general the taxes have gone down.

Short-term Rental Registrations:

Lisa prepared and mailed all short-term rental renewal registrations (approx. 350) this day.

Town Holiday Party:

The Town has received 36 RSVPs to date for the holiday party which is scheduled for Friday, December 17th.

NEW BUSINESS**2021 Drinking Water State Revolving Fund (DWSRF)**

The town's pre-application for the Lincoln Water Storage Tank project that was submitted, and the project did not rank high enough to be funded by the DWSRF program.

Town of Lincoln Assessment Report on Utilities

The board reviewed the Georgy Sansoucy Utilities Report.

Joint BOS Meeting with Woodstock

Lincoln BOS will be holding a joint session with Woodstock BOS on Wednesday, January 19th at 4:30pm at Lincoln Town Hall (1-hour before the joint budget committees' meet).

OLD BUSINESS:**Budget Review (cont'd)**

The Board reviewed the Executive, Planning, Town Hall and Police budgets. The board also discussed a warrant article for the proposed Fire & Police Safety Services Building.

Energy Audit

Selectman Daly asked if the final report was received for the Energy Audit that was done 1-1 ½ years ago. Jane Leslie to locate the report and have for next weeks' meeting.

Public Participation

Ivan Strickon asked the board if letters and posters were delivered to all of the town's businesses? The board responded that Deputy Chief Fairbrother and Chief Beard delivered all of this material to local businesses two (2) weeks ago. Ivan noted that he has driven throughout the town and has not seen any

businesses comply with the Town's request. The board responded that they have seen several local businesses that have in fact displayed the posters, and they have also received thanks from some owner for the town's initiative. Ivan warned the board that COVID is going to get worse before it gets better, and thanked the board for their time.

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

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

Motion: Tamra Ham

Seconded: OJ Robinson

All in favor

The Board of Selectmen went into Non-public session at 8:00 p.m.

MOTION: "To re-enter public session."

Motion: OJ Robinson

Seconded: Tamra Ham

All in favor

The Board of Selectmen came out of Non-public session at 8:30 p.m.

VIII. ADJOURNMENT

After reviewing the weekly payables and with no further business to attend to, the Board made the following motion:

MOTION: "To adjourn."

Motion: Tamra Ham

Second: Jack Daly

All in favor.

The meeting adjourned at 8:30 p.m.


Respectfully Submitted,
Jane Leslie

Approval Date: December 13, 2021


Chairman O.J. Robinson


Tamra Ham


Jack Daly

December 6, 2021
Board of Selectmen's Meeting
Please PRINT Legibly

(Print Name)
Debrae Celina

(Sign Name)
Debrae Celina



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 25, 2021

VIA HAND DELIVERY

Butch Burbank, Town Manager Board of Selectmen

RE: Concerns with South Peak Development

Dear Butch and Board of Selectmen:

On behalf of the Lincoln Planning Board, I am writing to express our concerns regarding the status of the South Peak Development. First, we are in receipt of an email from Brian Crowley of 11 Hemlock Drive to "Town Hall" with the subject "to Chairman of Planning Board." Similar letters have been sent to the Town from Arthur Remillard, Stephen Klar and Brian Holub. All of these homeowners expressed concerns regarding the lack of enough water pressure or volume of water from the hydrants needed for the Fire Department to deal with a property fire. These emails asked that this issue be given the proper attention by the Town and that the original agreements be enforced. We wanted to make sure that you were aware of these emails and that you are taking the appropriate steps to address the important issues raised. Obviously, working fire hydrants are essential.

In addition, it has come to our attention that some of the houses being built in the South Peak Development may exceed the square footage that was originally approved. Appendix D of the South Peak Resort Design Guidelines, under Section IV (Architectural Guidelines), C (Scale and Square Footage) was part of the approved South Peak Resort Master Plan application and states that "a home's total building square footage shall range from 2,500 sf to 6,000 sf."

This same 6,000 sf restriction appears on page 19 of the South Peak Resort Architectural Review Board Residential Design Guidelines, under Section IV (Architectural Guidelines), C (Scale and Square Footage) that was part of the South Peak Resort Plan revision dated May 18, 2020.


"Building square footage" is further defined under Section VII (Glossary of Terms) that was part of the original approved South Peak Resort Master Plan on page 63 and no changes to the definition were made on page 62 in the revision dated May 18, 2020.

Building Square Footage – The sum of all gross horizontal areas of all floors of a building measured from the exterior face of walls of heated, finished space including but not limited to, stairways (counted on the main level only), lofts, halls, habitable attics, closets, storage, mechanical and utility areas. Garages and unfinished space in basements are excluded.

In addition, based on the Engineering Basis of Design for South Peak, the number of bedrooms that was utilized by the developer's engineers for residential use in South Peak was between 1.75 and 4.0.

Please communicate with Town Staff regarding the importance of future applications for construction in South Peak to comply with the approved size requirements for residential structures. By sending them a copy of this letter we are so notifying the South Peak ARB.

Sincerely,

A handwritten signature in black ink, appearing to read "James Spanos". The signature is fluid and cursive, with the first name "James" being more prominent than the last name "Spanos".

James Spanos, Chairman Lincoln Planning Board

Cc: South Peak Architectural Review Board