

LINCOLN BOARD OF SELECTMEN

APPROVED

MEETING MINUTES

JANUARY 9, 2017

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

Board of Selectmen Present: Chairman - O.J. Robinson, Selectmen - Jayne Ludwig and Tamra Ham.

Staff Present: Town Manager Burbank, Police Chief Smith, Fire Chief Beard and Recording Secretary Wendy Tanner.

Public Present: Paul Beaudin, Tammy Gionet Dutilly, Roger Harrington, Bob Lamontagne, Jim Welsh, Debbie Celino, David Beaudin, Jim Martin, Vicky Martin, Justin Roshah.

I. CALL TO ORDER at approximately 5:30 PM

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

II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING

- December 19, 2016

MOTION to approve the minutes of December 19, 2016 as amended.

Motion: Jayne Ludwig **Second:** Tamra Ham **All in favor.**

III. RAY KORBER – KV PARTNERS PROJECT UPDATE

Ray Korber, principal of KV Partners, LLC gave an update to the Board of some of the projects in Lincoln as follows:

Riverfront Park

Part of the 21 acre lot where the recycling facility resides is being examined for potential development of a park. Ray Korber has been asked to serve as project coordinator of the phases of the project and to do detail engineering that might be required after the conceptual design phase. SE Group, Calnex Environmental, Spohn Ranch and Horizons Engineering are part of the team helping to develop the park. The project is in the first phase which is the conceptual design phase.

The process of the phases of the project will be done such that the team receives community feedback going forward.

The town does not have funding for the complete project but the funds that are available Korber hopes to get through the conceptual phase to show the town a plan. The skateboard park is funded separately and will be part of the conceptual plan for the complete River Front Park.

Once the park is complete it will be operated by the Lincoln-Woodstock Recreation Department.

Hanson Farm Road

The project was awarded to Caulder Construction last fall and has been started. The water main was installed this year. Substantial completion of the project should be by the end of June 2017.

West Street

Redesign, construction and drainage improvements are expected to begin this year. The project is currently in the design stage which should be completed in April 2017.

Pollard Road Sidewalk

The project is currently in the design development stage at 75% complete with the preliminary design. The challenges are how to put the sidewalk in with minimal impact to properties. There are significant differences in the town's right-of-way on Pollard Road. These differences present challenges not only in the design but also with the properties. Korber explained how they are trying to put in a sidewalk without taking on the added cost of drainage improvements or roadway improvements. Currently there are impacts to about 20 properties. Impacts are places where the sidewalk will encroach out of the right of way by one or two feet. Property owners are being contacted in these cases to obtain right of way adjustments or easements depending upon the circumstances.

Residents asked questions about specific obstructions along the sidewalk and how they would be handled. There were discussions about stone walls, trees and fences, most of which will be able to stay where they are and the sidewalk will run alongside of them. Korber said that not all obstacles have been resolved and that the process of contacting homeowners was a continuing effort.

Ray Korber answered questions from the audience about specific properties and issues. Robinson read into the minutes, three letters from residents Alex Atwood, Bob Nowak and Tracy Steele. (See attached letters)

The Board thanked Ray Korber for updating them on the projects and Mr. Korber left the meeting at 6:38 PM.

IV. OLD/NEW BUSINESS

□ Town Managers Report

- **Digitization of Records**

Town Manager Burbank received an estimate by department for digitizing files. The Board approved the assembly of a Records Retention Committee. This committee will be formed and per RSA 33-A:3 should consist of municipal officers or their designee together with the clerk, treasurer, an assessor, and tax collector.

- **Levee Update**

Town Manager Burbank said that he hoped that in the next two weeks this project will be going out to bid. Once the plans have been sent to the proper regulatory offices the town will hold an informational meeting to offer project information, especially to the homeowners along the levee.

For the informational meeting the town will notify all property owners that about the project and the meeting will be posted in the town hall and post office.

- **State Representative Bonnie Ham**

State Representative Bonnie Ham has asked to come to the January 23, 2017 Select Board meeting to talk to the Board. Senator Woodburn's office will also be invited to this meeting.

- **Recreational Trail Easement**

A recreational trail easement has been filed at the Grafton County Registry of Deeds for the recreational trail going through the lot located East of Forest Ridge Drive. In the past an easement had not been filed with Grafton County and has now been corrected.

- **RSA 91A Request**

There has been a second 91A request submitted to the town for records dating back to 1975. The town has replied that for such a great deal of information 30 days will be required.

Select Board Report

- **Barrel near Lahout's**

Selectman Ludwig asked Chief Smith about placing a barrel with a no parking sign outside of Lahout's because their customers have been getting tickets for parking in a "no parking" zone. Chief Smith said that the barrels are removed in the winter to allow plows to more easily plow the roads.

- **Covering the Ladder Truck**

Fire Chief Beard and Public Works Director Hadaway looked into covering the old Tower Truck and found that it would cause more damage to cover it in the winter causing humidity in the cabling and electrical systems. It was recommended that it not be covered for these reasons.

- **Dumpster on Pleasant Street**

Ludwig asked if the dumpster behind Udderly Delicious was getting emptied. It appears that this dumpster is used by the entire building which houses a number of apartments as well as the ice cream shop. It appears to be a property management issue and will be looked into.

- **RiverWalk Chairlift**

Ludwig asked if abutters were being notified regarding the RiverWalk chairlift and was replied to in the affirmative. Ludwig asked when the chair lift coming out of RiverWalk going over the river would be installed. Town Manager Burbank said that plans for Phase II of the project are well underway, but have not been submitted to the town so he did not have a definitive answer.

- **Health Insurance**

Selectman Ham, after covering the Budget Committee meeting, gave the Select Board a heads up that the budget committee spent a great deal of time discussing Employee Health Insurance and will be bringing their findings to the Select Board at a later date for discussion.

- **Workforce Housing Informational Meeting**

The second informational meeting on Workforce Housing is on February 16, 2017 at 6:00 PM at the Lincoln Town Hall.

- **Rams Horn ZBA Case**

Ludwig updated the Board on a recent case at Rams Horn, a condominium that is currently built 4.3 feet into the 15 foot setback area and the owner was proposing to build up on that encroachment. The Zoning Board of Appeals gave forgiveness for the existing encroachment, but denied the proposal to enlarge the size of the encroachment by adding a second floor.

- **Ike Whatley Memorial Site**

Chair Robinson mentioned a correspondence from Vicky Martin about the memorial grave site of Ike Whatley. Town Manager Burbank explained that this information was passed on to the Cemetery Trustees and it has been arranged to move the memorial of Ike Whatley to the Riverside Cemetery in the spring of 2017.

- **State Land for Workforce Housing**

Town Manager Burbank asked State Representative Bonnie Ham about state land. State Representative Bonnie Ham will contact the state committee that deals with surplus land to obtain their position on selling land.

- **Auditor**

Robinson received correspondence from CPA, Ron Bolio who has specialized in audits in the Municipal Sector for 30 years. The accounting for 2017 has already been contracted out. When reviewing auditors for 2018, Robinson said that this company should be included.

- **Proclamation**

Robinson received correspondence asked the town to create a proclamation commemorating January 22 thru 28 as the Town of Lincoln School Choice Week. This information will be passed on to the School District.

- **Northern Pass**

There was a brief discussion about the Northern Pass and correspondence received from the town of Pittsburg. The current path of the Northern Pass does not go through any part of Lincoln. There are a couple of house bills currently being put through which would legislate that towns would not have any choice but to cooperate with the electric companies. NHMA (New Hampshire Municipal Association) is opposed to those bills.

- **Letter from Alex Atwood**

A letter was received from Alex Atwood questioning about how property taxes work.

- **ZBA Elected Members**

At the last meeting, the Select Board voted to make the Planning Board member elected and not appointed. Ludwig said that the ZBA discussed it that it would also be a good idea for the ZBA to be elected. Ludwig said that she hopes it will make member attendance better.

MOTION to put the election of ZBA members on this years warrant.

Motion: Tamra Ham

Second: Jayne Ludwig

All in favor.

□ Public Participation

Digitizing Records

Paul Beaudin thought that there was funds put aside in the CIP for scanning and digitizing town records. Town Manager Burbank said that it is not in the CIP now but could be added in the future. There was a brief discussion items that were in CIP in the past and were removed to keep the tax rate low.

Retired Tower Truck Cover (Old 1978 Ladder Truck)

Roger Harrington asked about covering the ladder truck and explained that he thought that the town would put a tent over it. Robinson asked about the value today as a fire truck. Fire Chief Beard said that the town has invested in keeping the truck up with today's NFPA standards but thought that the truck today would be a collector's piece or stripped for parts.

Digitizing Records

Tanner asked about OCR (optical character recognition) capabilities of the current copy machine to scan some of the files ourselves. Town Manager Burbank said that he would look into this for future records.

Side Walk Plowing

Tammy Gionet Dutilly thanked the board for talking to Nate Hadaway for repositioning the chute on the sidewalk snow blower so that it does not go so far onto the lawn. However, now another Public Works employee has taken over and the snow is going further than before. Town Manager Burbank will express these concerns to the Public Works Department.

Fire Fighting

Ham recognized Chief Beard and all the Fire Departments that arrived on scene to fight the fire at Ram's Horn on December 29 during the snow storm. The fire was difficult to reach because of the snow storm and many fire fighters had to walk in with their gear to get to the fire. Thank you to all the fire departments involved and for everything you do to keep our towns safe.

Lincoln Police Facebook Page

Chief Smith said that the Police Department, on Monday mornings, places a log on their Facebook page of tickets, arrests and violations that happened the previous week.

Beechwood I Road Plowing

Paul Beaudin said that he wanted to compliment Nate Hadaway because the Beechwood I roads are being plowed well. Town Manager Burbank said that Hadaway has been working more closely with Loon Mountain to ensure the roads are cleared.

Life Safety Ordinance

Paul Beaudin said that the town should develop an ordinance that deals with life safety. Beaudin gave an example of someone that came to the ZBA for a variance recently that had no access to the side or rear of his building for life safety and he was requesting to add on to the rear of the building. Town Manager Burbank said that the reason that the town does not have an ordinance was because they have not adopted RSA 155-A to enforce the New Hampshire State Building Code. Robinson asked Fire Chief Beard to see if other towns have Life Safety Ordinances.

V. NON PUBLIC SESSION Pursuant to RSA 91-A: 3II (a,c,e,d)

MOTION to go into nonpublic session at 7:27 PM.

Motion: OJ Robinson Second: Jayne Ludwig All in favor.

MOTION to come out of nonpublic session at 8:15 PM.

Motion: Jayne Ludwig Second: Tamra Ham All in favor.

VI. ADJOURNMENT

After reviewing the weekly accounts payable and with no further business to attend to, the Board made the following motion.

MOTION: "To adjourn."

Motion: O.J. Robinson Second: Tamra Ham All in favor.

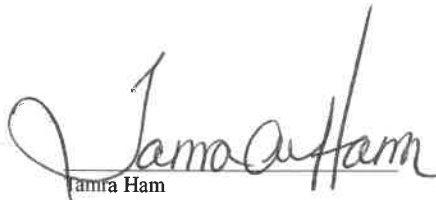
The meeting adjourned at 8:20 PM.

Respectfully Submitted,

Wendy Tanner

Approval Date 1/23/17


Chairman O.J. Robinson


Tamra Ham


Jayne Ludwig

Alex Atwood
PO Box 233
Lincoln NH 03251

KV Partners LLC
Raymond H. Korber, P.E.
PO Box 7721
Gilford NH 03247

December 27, 2016

RE: Pollard Rd Map 117; Lot 106 - Sidewalk Project

Dear Mr. Korber,


I am responding to your letter dated November 9, 2016 requesting a preliminary agreement to a temporary construction easement on my property. I cannot agree to this request without additional information pertaining to the following:

- 1) The diagram enclosed with the letter lacks any form of measurement or key allowing me to decipher what the different areas represent, and therefore I will need a much more detailed map explaining exactly what portion of my property will be used in the project;
- 2) A plan of the entire proposed construction area for the sidewalk because I cannot agree to this without knowing that the sidewalk will span the length of Pollard Road; and
- 3) Information on why the sidewalk is not on the other side of the street as it seems much easier, as well as safer, to build on the other side of Pollard Road due to the lack of hotels, apartment complexes, and through streets that the sidewalk, in addition to pedestrians, will need to cross if the project is continued on my side of the street.

A reading of the minutes of a recent Select Board meeting indicates that there is a likelihood that the sidewalk will not run the length of Pollard Road, but rather it will end at 29 Pollard Road instead of dealing with the area of the Kancamagus Lodge and Common Man restaurant. This particular area presents a serious safety risk to vehicles and pedestrians alike. Should the sidewalk not run the length of the street there would be no need for a sidewalk in front of my property and I will not agree to the easement.

Please forward me a detailed plan of the suggested construction in front of my property and let me know when you have a completed plan that will be presented to the Town voters in March of 2017.

Sincerely,


Alex Atwood

✓ Cc: A. Burbank, Lincoln Town Manager

townhall

From: Bob Nowak <robert.s.nowak@gmail.com>
Sent: Monday, January 09, 2017 9:47 AM
To: townhall; townmanager
Cc: Michel HOVAN; Russ Magnus; Sol Gully; Fred Riccio; Jim Lewis; Tracy Steele
Subject: Re: Pollard Rd. Sidewalk - Mountain View Condos

Mr. Burbank and the Lincoln Board of Selectman,

I am the Secretary of the MountainView Board of Directors Homeowners Association and an owner of Unit #5 at 153 Pollard Rd. We discussed the proposed sidewalks at both of our 2016 Owners meetings and were unanimous as to our objection of the proposed curb across our driveway. I offer this email from behalf of all the owners of MountainView. If you would rather hear from all the owners individually, please let me know.

As Tracy so eloquently points out, we unanimously feel that the MountainView Owners will be significantly harmed by installation of the curb across our driveway as outlined in the current sidewalk proposal. Additionally, if implemented as designed, the MountainView Owners will not accept any liability resulting from the current design requiring cars to blindly back out over an 'assumed' safe sidewalk. Should anything happen, we request our objection to be formally acknowledged with any liability falling on the town given the design.

We support the idea of a sidewalk on Pollard Rd, but strongly feel that the proposed curb across our driveway is a departure from established precedent and creates significant hardship to all owners of MountainView as enumerated in Tracy's email below.

Please feel free to use this email as a way to communicate to the owners of MountainView - I'd be happy to contact the owners.

Thank you for the opportunity to voice our concerns.

Bob Nowak
Unit 5
153 Pollard Rd.

Secretary
MountainView Homeowners Association

On Jan 6, 2017, at 10:28 AM, Tracy Steele <t_steele1@yahoo.com> wrote:

Dear Mr. Burbank and Lincoln Board of Selectmen:

This letter is to add further comments regarding the proposed sidewalk plan for Pollard Road. As you are well aware, the residents of Mountain View Condominiums do not support the continuation of the proposed curbed sidewalk across our parking lot for the following reasons:

1. Inadequate clearance to back up. Even with the diagonal spaces, there is simply not enough space to safely back out of the parking lot. In reality, we will likely end up backing up over the sidewalk in part, due to the lack of clearance behind the cars. A sidewalk gives pedestrians the impression of safety and security that would not be accomplished with the current plan. It is safer to keep the parking lot as is so that pedestrians stay aware that they are walking behind a parking lot and drivers of those parked cars have the adequate space between parking spots and a clear view behind them to safely back out, neither which would be accomplished with small diagonal spaces.
2. Inadequate Parking. We will lose over half of our parking spaces. The current plan leaves each unit with less than one parking space. The number of parking spaces as shown in the plan is not adequate for the 20+ units in the building. This will force residents to park along the street which will pose new and greater safety concerns with the limited visibility due to high snow banks, short daylight hours, and icy roads and put us in violation of the Winter Parking Ban.
3. Snow Removal. There is simply nowhere to put plowed snow and our plowing contractor has unambiguously stated that he will no longer plow for us if the sidewalk gets put in. At the end of December, the snowbanks along the side of the parking lot were over 15 feet high. Snow is piled up at the front of the parking lot which will further limit space to back out (see attached pictures). Our plowing rates (if we can even find a contractor willing to try to plow the parking lot) will raise drastically and there will be nowhere to put the snow.
4. Property Values. The value of our units will decrease drastically with inadequate parking.
5. Inconsistency with Current Sidewalk Layout. On other roads in town where sidewalks have been built, they have not interfered with parking lots, such as the schoolhouse apartment building on Coolidge St., which has similar street frontage (see attached photo). We simply ask that the town of Lincoln treat the Mountain View condos the same as it has treated similar situations in the past.
6. Unnecessary/Easy Way to Bypass. Putting the sidewalk in front of Mountain View condos is not necessary to (and for the reasons stated in #1 and #2 above does not) achieve safety. The simplest solution is to take a right on Church street, a left on Cross St. and a left on Maple to stay up on a sidewalk and/or put in a crosswalk and put the sidewalk on the other side of the road.
7. Greater Safety Concerns should take Precedence. It's become apparent that the sidewalks are sparsely plowed over the winter and some not even plowed at all.

Respectfully submitted,

Tracy Steele

153 Pollard Road

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