

**LINCOLN BOARD OF SELECTMEN'S
MEETING MINUTES
WEDNESDAY, JULY 22, 2020 – 4:00PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH**

APPROVED

Board of Selectmen Present: Chairman OJ Robinson, Vice Chair, Tamra Ham, and Selectman Jayne Ludwig

Staff Present: Town Manager, Butch Burbank, Fire Chief Ron Beard, Deputy Chief Jeffrey Burnham, and Administrative Assistant Jane Leslie

Public Present: *There was no public present*

I. CALL TO ORDER

Chairman Robinson called the meeting to order at 4:04 pm.

II. LADIES BATHTUB POLICE DEPARTMENT *Discussion*

Chairman Robinson explained that the board had agreed to continue this discussion from Monday night's Board meeting (7/20) to discuss the following proposal, and to get feedback from Deputy Chief Burnham on behalf of Lincoln Police Department: (1) a process for permit parking only (either current dump sticker, or a revised sticker) for Lincoln-Woodstock residents, and taxpayers only (*all others will be towed at the owners expense*), (2) additional signage for no campfires, carry-in/carry-out, 10pm closing time, and, (3) request to State of NH to put (*or allow the town to put*) additional "No Parking" signs on Route 112 or other state roads that align town-owned swimming spots, and, (4) Police detail monitoring swimming areas in town."

Town Manager Burbank explained that he has met with Deputy Chief Burnham and has reviewed several options to monitor the Ladies Bathtub, and the following will be implemented beginning this weekend: (1) establish a swimming hole patrol detail for the weekends (number of days to be determined), All three (3) swimming holes will be monitored (Ladies Bathtub, Fay Wayside, and Old Hole). The Public Works Department will also be checking each of these swimming areas on Monday mornings to pick up any trash left behind.

Deputy Chief Burnham explained that Chief Morris is off this week on vacation, however, he was able to speak with him briefly today, and he suggested possibly getting the Recreation Department involved and hiring one or two people to monitor the swimming area. Burnham explained that he has also spoken with Judy Welch to get an idea of how Woodstock is handling their swimming areas and trash problems as well. Woodstock has implemented direct patrols, and posted signage at their swimming areas. Burnham noted that Lincoln Police will not only be monitoring the three swimming holes in-between calls, but officers will be getting out of their patrol cars and walking around to get a better sense of what is going on.

Selectman Ludwig does not feel the signs are visible to all visitors because they are on a sign post in front of a parking space, and feels the signs should be moved to a location that is visible for all to see. Burnham feels that by law enforcement having a visible presence at these swimming areas, the public will do the right thing or risk getting fined.

Selectman Ham noted that the board was discussing restricting usage to residents and taxpayers only (Lincoln & Woodstock) and questioned how difficult this would be for the Police Department to enforce. Deputy Chief Burnham responded that this will admittedly be a challenge because limiting access to public waterways is virtually illegal, however, the town could restrict the parking in these areas and implement

a parking sticker program. Ham also responded to Chief Morris's suggestion about handing this over to the Recreation Dept., and does not feel this would be a good idea because patrolling the area is different than staffing it, and would put the town into a different insurance category in addition to making it accessible to all.

In summing up the discussion, it was agreed that the Police Department would begin patrolling the three (3) swimming areas this coming weekend and follow-up with its progress at next weeks' meeting.

III. OTHER BUSINESS

Short-Term Rental Regulations

The Board of Selectmen signed the Short-Term Rental Ordinance (*see attached*).

Abatement Request(s)

The board reviewed the following abatement request:

Gene A. & Linda M. Smith, Map #108 Lot #029. The taxpayer purchased the property in October 2019, and the house/building on this property was condemned by the Town's Health Officer back in May, 2019. The value of the building is currently at \$50,500, and the property owners are requesting that the BOS abate this property by the amount of the building (\$50,500). The total assessment would go from \$112,400 (land value = \$61,900, less building value of \$50,500) for the new assessed value of \$61,900 for land only.

MOTION: "To grant the abatement in the amount of \$50,500."

Motion: Tamra Ham

Second: OJ Robinson

All in favor.

Labrecque Street Construction

Chairman Robinson commented that a *Cease and Desist* order has been issued to the contractor (Peter Marlow d/b/a Degmar Development Corp.) who is currently building over on Labrecque Street, and Mr. Marlow has reached out to Robinson requesting an opportunity to discuss this matter further. Robinson explained that the Mr. Marlow is welcome to be put on the BOS Agenda and attend an upcoming board meeting to discuss this matter further with the entire board (not just Robinson). Robinson explained that this directive originated with the Planning Department who had directed Mr. Marlow to go before the ZBA, however, the Board of Selectmen would be willing to listen to what he has to say.

V. ADJOURNMENT

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

MOTION: "To adjourn."

Motion: Tamra Ham

Second: OJ Robinson

All in favor.

The meeting adjourned at 7:00 p.m.

Respectfully Submitted, -

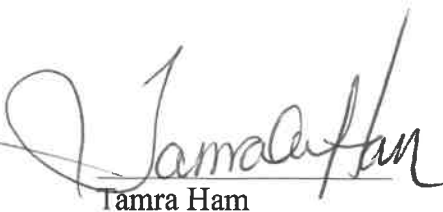
Jane Leslie



Approval Date: August 10, 2020



Chairman O.J. Robinson



Tamra Ham



Jayne Ludwig

Regulations Relative to Permits for Short Term Rentals

The Town of Lincoln will allow Short Term rentals but wants to ensure the safety of occupants, minimize neighborhood disruption, and maintain fairness related to paying for Town services.

A "Short-Term Rental" or "Vacation Rental" unit is defined as any individually or collectively owned single family house or dwelling unit or any unit or group of units in a condominium, cooperative, or timeshare, or owner-occupied residential home, that is offered for a fee for less than 30 consecutive days per RSA 48-A:1.

On or before January 1, 2021, all Short-Term Rental units must be registered with the Town. A registration form is available online at www.lincolnnh.org or at the Town office. Upon registration, a Short Term Rental permit shall be issued.

There is a \$50 annual fee to register Short-Term Rental units per tax parcel.

The owner of any unregistered Short-Term Rental unit will be fined as follows starting April 1, 2021:

First offense from unit owner that was not sent a notice of this ordinance by the Town: written warning

First offense from unit owner that was sent a notice of this ordinance by the Town: \$100

Second offense, after allowing 10 days for registration since first offense: \$500

Additional offenses, after allowing 10 days for registration since second offense: \$1,000 each.

The Town has the right to revoke a permit for any Short-Term Rental unit that becomes a nuisance. This action will require a minimum of three incidents within one year, validated by the Lincoln Police Department or NH State Police, where the contact person was notified of problematic occupant actions. Any unit owner found to be operating as a Short Term Rental after revocation will be fined \$1,000 per 10-day period.

If a permit is revoked, the owner may appeal the decision to the Board of Selectmen within 30 days of the date of revocation, and the Selectmen shall hold a hearing on the appeal within 45 days and either affirm the revocation or overturn the revocation. If the revocation is overturned, the Selectmen can impose conditions upon the reinstatement of the permit.

Any comments or complaints related to Short Term Rentals can be submitted online at www.lincolnnh.org or at the Town Office.

Approved by the Town of Lincoln Board of Selectmen on July 13th, 2020.



O.J. Robinson



Jayne Ludwig



Tamra Ham