



PLANNING & ZONING DEPARTMENT

PLANNING BOARD AGENDA PUBLIC HEARING & MEETING WEDNESDAY, January 10, 2018, at 6:00 PM Lincoln Town Hall, 148 Main Street, Lincoln NH

- I. **CALL TO ORDER** by the Chairman of Planning Board (PB); announcement of excused absences, if any, and seating of alternates(s), if necessary.
- II. **CONSIDERATION** of meeting minutes from:
 - December 13, 2017
- III. **CONTINUING AND OTHER BUSINESS** (Staff and Planning Board Member/Alternates):
 - A. **6:00 PM: PUBLIC HEARING RE: PROPOSED CHANGES TO LAND USE PLAN ORDINANCE (LUPO) Draft Language available on town website & at Town Offices.**
 1. **Revise language for Current Height Restrictions for Buildings, including but not limited to:**

Article VI District & District Regulations, Section B. District Regulations, Paragraph 7 Height Restrictions, add subparagraph c:

c. Uninhabitable structures that are part of a tourist attraction are exempt from the preceding height requirements and are left up to the Planning Board as part of a site plan review. This includes ski lift towers and amusement rides and towers. The Planning Board may also increase the setback requirements for these higher structures on an individual basis as part of the site plan review process.
 2. **Revise Language for Sign Ordinance, including Temporary Signs**

Article VI-B, Lincoln Sign Regulations, Section E Permit Requirements and Review Procedure, Paragraph 10 Sign Classification and Standards, Subparagraph s. Portable Sign, Sub-subparagraph ii. Standards, sub-sub-paragraph (d):

Modify the requirement to remove temporary signs when business is closed to when the business is closed for fourteen (14) days or more.
 3. **Regulation of Solar Panel Arrays**

Add Article VI-D Solar Energy Systems. Solar Energy Systems of a residential size need Land Use Authorization Permit and must comply with the Land Use Plan Ordinance with regard to setbacks, height and other restrictions. Solar Energy Systems of a commercial size need Site Plan Review approval.
 4. **Require Approvals from Homeowners Associations and/or Condominium Associations prior to issuing Land Use Authorization Permits (LUP) per Town Attorney**

Add to Article VII, Administration, Section B. Land Use Authorization Permit.
 5. **Require Consent to Inspect to Application for Land Use Authorization Permit (LUP) per NH OEP**

Add to Article VII, Administration, Section B. Land Use Authorization Permit.

6. Revise Criteria for Special Exception

Add to and make revisions to Article VIII Board of Adjustment, Section A, Board of Adjustment, Paragraphs 1-4 so the ZBA can consider additional factors in determining whether to grant a Special Exception.

IV. NEW BUSINESS:

A. 6:00 PM. Application for a Subdivision

Case #: SUB 2017-03 M112 L041 Harrington
Variance already granted in 2017 ZBA Var 2017-01 M112 L041 Jenny A. Harrington

Location: (Mobile Home)
40 West Street
(Map 112, Lot 041)

(Land & House)
36 West Street
(Map 112, Lot 041)
General Residential (GR) District.

Property Owner:

Estate of Barbara Harrington
36 West St.
Lincoln, NH 03251

Heirs: Jennifer (Jenny) A. Harrington & David Harrington
40 West St.
Lincoln, NH 03251

Applicant: Jennifer (Jenny) A. Harrington
40 West St.
Lincoln, NH 03251

Applicant is proposing a minor subdivision of one lot (Map 112, Lot 041) into two lots. Both lots are fully developed already with two (2) dwelling units on the subject lot. Applicant proposes to subdivide the subject lot (36 & 40 West Street) (Map 112, Lot 041) into two lots so the mobile home (40 West Street) and the Harrington house (36 West Street) are each on their own lot. Historically, the subject lot was two (2) lots that were later merged. No additional streets, utilities or public improvements will be required.

The property owner is the Estate of Arthur & Barbara Harrington, c/o David A. Harrington, Executor, 31 LaBrecque Street, Lincoln, NH 03251-9801). David A. Harrington and Jennifer A. Harrington are heirs.

The subject lot is located in the General Residential (GR) District. The minimum lot size in the GR District is 10,000 square feet with the one of the proposed lots being 7,570 square feet; the second lot proposed would be 12,893 square feet. The subdivision needed a variance as specified in the Land Use Plan Ordinance, Article VI (District and District Regulations), Section B (District Regulations), Paragraph 4 (Dimensional Chart) to create a lot smaller than the minimum lot size. The Applicant's Request for a Zoning Variance was granted by the ZBA on November 14, 2017.

B. Application of the Lodge at Lincoln Station Condominium Association, Inc. (Association) for:

- (1) **Subdivision** to divide a portion of the common area of the interior of the condominium/condotel known as the "Lodge at Lincoln Station" into three hotel rooms; and

- (2) **Site Plan Review** approval to change/expand the use of common area by converting three existing spaces in the common area originally designed to be “storage space” between Buildings A and B on the first, second and third floors of the Lodge at Lincoln Station Condominium (Lodge) to three motel units which will be rented by the Association for the benefit of the Association. These three hotel units will not have cooking facilities and will not be “condotel units” like the other units in the Lodge.

Applicant/Property Owner:

- (1) Agent for Applicant, Attorney Michael F. Conklin, Conklin & Reynolds, PA, 264 Main Street, Suite 14, PO Box 849, Lincoln, NH 03251
- (2) Walter Reed, President of Lodge at Lincoln Station Condominium Association, Inc., P.O. Box 897 Lincoln NH 03251
- (3) Surveyor: Thaddeus Thorne-Surveys, Inc., Center Conway, NH 03813 (Survey is dated 7/11/1983, last revised on 5/6/1985.)

Although Applicant has submitted an application for Subdivision and Site Plan Review, Applicant is also requesting a waiver of the requirement for a subdivision as well as waivers for several requirements for Site Plan Review.

The property is located at 36 Lodge Road, (Map 117, Lot 121). The area in question is the common area between Building A & Building B. The property is located in the General Use (GU) District).

Portions of the Lodge were constructed in 1985 prior to the adoption of the zoning ordinance known as the Land Use Plan Ordinance (LUPO) in 1986. Zoning was adopted on 3/11/1986. Applicant submitted the recorded Plan #3686 dated “received” on 9/26/1986 by the Planning Board, but recorded the day before on 9/25/1986. In the title box of the recorded plan the Lodge is described as a “Condotel”.

Copies of these applications will be available for review at the Planning Office, Lincoln Town Hall, 148 Main Street during normal business hours Monday – Friday 8:00 AM – 4:30 PM prior to the meeting date.

Upon a finding by the Board that the applications meet the submission requirements of the Land Use Plan Ordinance, Subdivision Regulations and Site Plan Review Regulations, or that waivers are warranted, the Board will vote to accept the application as complete and a public hearing on the merits of the proposal will follow immediately. Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved.

C. Conceptual – Myles Moran representing Tammy Gionet Dutilly re: possible subdivision of 229 Pollard Road (Map 113, Lot 061).

D. Conceptual – Taylor Beaudin representing William & Cynthia A. Conn re: Site Plan Review of Map 110, Lot 015 177 Connector Road changing use of property from Residential to Business and Industrial Uses.

V. PUBLIC PARTICIPATION AND OTHER BUSINESS: Public comment and opinion are welcome during this open session. However, comments and opinions related to development projects currently being reviewed by the Planning Board will be heard only during a scheduled public hearing when all interested parties have the opportunity to participate.

VI. ADJOURNMENT