



# PLANNING & ZONING DEPARTMENT

## PLANNING BOARD AGENDA PUBLIC HEARING

Wednesday, December 9, 2020 – 6:00 PM

Planning Board Public Meeting

Lincoln Town Hall, 148 Main Street, Lincoln NH

**Due to the current COVID-19 situation, and to recent staff exposures to COVID-19, the Town Office is closed to the public. This meeting will be available only via the Zoom Meeting Platform to allow for town wide participation. The public is encouraged to participate remotely using ZOOM by going to:**  
**Join ZOOM Meeting.**

**Link:** <https://us02web.zoom.us/j/83374420624?pwd=Y05HQndSbFRLTDJFZERHVjIjMS1jQT09>

**Meeting ID: 833 7442 0624**

**Passcode: 576477** or via telephone (1-929- 205-6099).

(See also town website [www.lincolnnh.org](http://www.lincolnnh.org) for the same link, meeting ID and passcode.)

**I. CALL TO ORDER** by the Chairman of Planning Board (PB); announcement of excused absences, if any, and seating of alternates(s), if necessary.

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**II. CONSIDERATION** of meeting minutes from:

- November 11, 2020**

(Chair James Spanos, Vice Chair Joseph Chenard, Selectmen's Representative OJ Robinson, Selectmen's Representative, Member Steve Noseworthy, Member Mark Ehrman, and Alternate Paul Beaudin)

- November 24, 2020**

(Chair James Spanos, Vice Chair Joseph Chenard, Selectmen's Representative OJ Robinson, Selectmen's Representative, Member Steve Noseworthy, Member Mark Ehrman, and Alternate Paul Beaudin)

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**III. CONTINUING AND OTHER BUSINESS** (Staff and Planning Board Member/Alternates).

**A. SPR 2020-11 M114 L080 Mt Coolidge Cn LLC - The Pines Detention Ponds**

**Site Plan Review Status Update Applicant/Developer/Property Owner requesting a site visit to inspect the rebuilt detention area at the Pines. Applicant signed an escrow agreement.**

**Engineer:** Marc Burnell, P.E., of Horizons Engineering, Inc.  
34 School Street  
Littleton, NH 03561

**Applicant/Property Owner:** Richard (Rick) Elliott d/b/a Mt. Coolidge Construction, LLC  
3 Amalia Drive  
Nashua, NH 03063

**Applicant's Representative:** Michael Shepard, Esq.  
The Shepard Law Firm, P.C.  
160 Federal Street  
Boston, MA 02110

## **Re: Application for Site Plan Review Approval**

**Property:** The Pines at Forest Ridge  
(Map 114, Lot 080)

Property is located in the Rural Residential (RR) District.

### **Project:**

Modification of the Site Plan Review approval for The Pines at Forest Ridge which included ponds associated with Stormwater Management to convert a micro-extended detention basin and infiltration basin (dry pond) into a wet pond near Building 1 on Lincoln Tax Map 114, Lot 080. Mount Coolidge Construction applied for and received (on April 24, 2020) an Alteration of Terrain (AoT) permit from New Hampshire Department of Environmental Services (NHDES) for the modification of the existing micro-extended detention pond (MP1) and infiltration basin (INF1) to a wet pond. The modifications do not propose any additional impervious area to the existing AoT 1445 (expired), and will disturb approximately 15,000 square feet.

### **NOTICE OF DECISION - APPROVAL GRANTED WITH CONDITIONS:**

On July 22, 2020, the Planning Board **GRANTED** the **Application for Modification of the Site Plan Review** approval for “The Pines at Forest Ridge” with the **FOLLOWING CONDITIONS:**

1. **The Owner/Applicant shall provide bonding which is payable to the Town for all on-site improvements (i.e., the construction, drainage and associated site work), in order to ensure that the Owner/Applicant will complete all site work in accordance with the plans.** In the event the bond is called by the Town, the Planning Board shall schedule and hold a public hearing to consider revocation of the Site Plan Approval per RSA 676:4-a. No further work may proceed on site, and no further Land Use Authorization Permits shall issue without Planning Board approval in the event the bond is called and the above-referenced revocation proceedings are initiated. The amount of the bond shall be based on the Owner/Applicant’s engineer’s estimate of construction costs for the project which includes a 15% contingency, which equals a total of \$82,167.00. The applicant can request release of the bond once all conditions have been met from the Planning Board. The bond shall be released at the discretion of the Planning Board after a public hearing.
2. **A maintenance bond of \$35,000 shall be provided.** Once the detention ponds have been constructed in accordance with the approved plans, the maintenance and operation of the ponds and associated stormwater management features shall be the responsibility of The Pines at Forest Ridge Condominium Association (“The Pines CA”). See letter from Richard K. Elliott, President of the Pines CA, to Carole Bont and the Lincoln Planning Board dated July 6, 2020. Maintenance and operations shall be in accordance with the approved Stormwater Inspection and Maintenance Manual for The Pines at Forest Ridge (“Inspection and Maintenance Manual”). In the event that The Pines CA lacks proper authority to take on the responsibility and exercise the power necessary to maintain and operate the ponds; then, unless and until such time as the Pines CA does have all necessary authority, the declarant (“MMC”), its successors or assigns shall be fully responsible for the maintenance and operation of the ponds. There shall be a bond so long as MCCC is responsible for the maintenance and operation of the ponds.
3. **The project shall be completed by November 30, 2020.**

## **B. SPR 2020-04 M102 L005 Greenside Ink – GMR Holdings of NH, LLC - Cell Tower**

Application for Site Plan Review Approval for proposed 120-foot-high telecommunications cell tower under Land Use Plan Ordinance Article VI-A Telecommunications Equipment and Facilities has been filed by:

### **Agent Attorney Jonathan Springer**

Springer Law Office, PLLC  
118 Maplewood Avenue - Suite C-3  
Portsmouth, N.H. 03801  
on behalf of

### **Applicant GMR Holdings of NH, LLC**

702 Riverwood Drive  
Pembroke, NH 03275

### **Property Owner Donald Landry d/b/a Greenside Ink, LLC**

PO Box 953  
Lincoln, NH 03251-0953

### **Property:**

749 US Route 3, Lincoln, NH (Map 102, Lot 005). General Use (GU) Zoning District

**Proposed Project:** Project includes construction of a 120-foot-tall monopole tower within a 40'X40'X38'X52'4" fenced compound. The compound will be within a parking lot of a landscaping business and adjacent to a building located at 749 US Route 3 (Tax Map 126 Lot 020). The structures will be in the General Use (GU) District. Property is approximately 1.06 acres in size and is a triangular shape between the 34A exit ramp off Interstate Route 93 (I-93 North) and US Route 3. The property is owned by Greenside Ink, LLC. Property is currently used by the owner to operate a landscape business.

In addition to Site Plan Review approval, applicant is seeking a Conditional Use Permit pursuant to Article IV-A, Section F (4) to increase the allowed height of 100 feet to 120 feet.

The Applicant is also seeking the following waivers:

1. From Article VI-4, Section H (4)(a)(i), which states that "Towers shall be located within the tower lot as to provide a fall zone free of any structures equal to 125% of the height of the tower."
2. From Site Plan Review Regulation Article XIV (23)(d), which requires engineering calculations used to determine drainage requirements.
3. From Article VI-A, Section J (as a condition of acceptance only; the Planning Board shall require the applicant to post adequate surety for the costs of maintenance, remit repair or removal thereof. The amount informed of the surety shall be determined by the Planning Board.)

As a proposed Development of Regional Impact, notice was to **NH Towns & unincorporated places** within 20 miles of Lincoln: Albany, Ashland, Bartlett, Bath, Beans Grant, Beans Purchase, Benton, Berlin, Bethlehem, Campton, Carroll, Center Harbor, Chandlers Purchase, Chatham, Conway, Crawfords Purchase, Cutts Grant, Dalton, Dorchester, Easton, Eaton, Ellsworth, Franconia, Gorham, Greens Grant, Groton, Hadleys Purchase, Hales Location, Hart's Location, Haverhill, Holderness, Jackson, Jefferson, Kilkenny, Lancaster, Landaff, Lisbon, Littleton, Livermore, Low & Burbanks, Lyman, Madison, Martins Location, Monroe, Moultonborough, Orford, Ossipee, Piermont, Pinkham's Grant, Plymouth, Randolph, Rumney, Sandwich, Sargents Purchase, Shelburne, Sugar Hill, Tamworth, Thompson & Meserve, Thornton, Warren, Waterville Valley, Wentworth, Whitefield & Woodstock.

**VT Towns** within 20 miles of Lincoln include: Barnet, Bradford, Concord, Fairlee, Lunenburg, Newbury, Ryegate, and Waterford.

The first meeting was held on October 14, 2020. The “Balloon Test” to evaluate the impact of the proposed height of the tower was held on October 31, 2020. The October 14, 2020 meeting was continued to Wednesday, November 11, 2020 at 6:00 PM. The November 11, 2020 meeting was not completed and was continued to Wednesday, December 9, 2020 at 6:00 PM.

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**IV. NEW BUSINESS (Staff and Planning Board Member/Alternates).**

**A. CON 2020-04 M112 L018 & Lot 016 - Remedy Medical Properties, LLC (Littleton Regional Hospital) – Brenda, Benjamin & Jennifer Clark – Health Care Facility - Signage Conceptual**

**Conceptual Applicant(s):**

- New Hampshire Attorney Mark Beaudoin, Nixon Peabody, LLP, City Hall Plaza, 900 Elm St, Manchester, NH 03101 - Outside Local NH Counsel for Applicant Remedy Medical Properties, LLC, an affiliate of which is the potential fee owner/developer;
- Attorney Barbara Peloquin Associate In-House Counsel for Applicant Remedy Medical Properties, LLC, Remedy Medical Properties, Inc., 800 W Madison Street, Suite 400, Chicago, IL 60607;
- Dave Marin, Executive Vice President, Development for Remedy Medical Properties, Inc., 800 W Madison Street, Suite 400, Chicago, IL 60607;
- Darrell Philips, Land Development Manager, Design & Construction, Remedy Medical Properties, Inc., 800 W Madison Street, Suite 400, Chicago, IL 60607;
- Jeff Woodward, 38 Raven Lane, Franconia, NH 03580-0536, Vice Chair of the Board of Littleton Regional Healthcare; and
- Robert Nutter, President/CEO of Littleton Regional Hospital (which is the proposed main tenant of the new building to be constructed).

**Property 1: Tax Map 112, Lot 018 Railroad Street #LO (5.51 Acres)**

Vacant lot in the General Use (GU) District with an address of Railroad Street #LO (Map 112, Lot 018) to place the facility and some signage – currently used for temporary camper travel trailers.

**Property 2: Tax Map 112, Lot 016 Railroad Street #LO (0.83 Acres)**

Vacant lot used for in the General Use (GU) District with an address of Railroad Street #LO (Map 112, Lot 016) to place some signage – currently used for parking for Rodgers Ski and Sport retail shop.

**Property 1 & 2 Owners:**

Brenda Clark, Benjamin Clark, and Jennifer Clark  
64 Railroad Street, (Train Station)  
PO Box 9  
Lincoln, NH 03251-0009

**Proposal:** Littleton Regional Healthcare (Littleton Regional Hospital) hired Remedy Medical Properties, Inc. out of Chicago, IL to help them develop a health care facility. “The group” wants to purchase a vacant lot (Railroad Street #LO (Map 112, Lot 018) from Brenda Clark (f/k/a Brenda Partridge), Benjamin Clark & Jennifer Clark. Remedy Medical Properties, LLC is the entity with the Purchase and Sale Agreement that will purchase the property, develop the property (i.e., get the permits and build the building on the property) and then lease the building to Littleton Regional Healthcare (Littleton Regional Hospital). Their primary concern before they submit an application to build the health care facility is whether Remedy Medical Properties, Inc can have signage that meets their marketing criteria. The conceptual pertains to the signage alone at this time.

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**B. CON 2020-15 M117 L120000-02-00018 – Muffy Copenhaver d/b/a RIGK, Inc. and d/b/a Gordi’s Restaurant – Office Condominium – Deck for Outdoor Seating and Bathroom Addition**

Conceptual to add another bathroom to Gordi’s Restaurant and a wraparound deck around a portion of the perimeter of Gordi’s restaurant to accommodate outdoor seating to merge two adjacent lots, demolish two buildings and replace buildings with one proposed multi-use building will be submitted to the Planning Board. The deck will be slightly greater than 500 square feet in size. Would the Planning Board consider waiving Site Plan Review? Would they need a survey?

**Applicant:** Muffy Copenhaver representing RIGK Inc., PO Box 611, Lincoln, NH 03251-0611

**Property Owner:** RIGK Inc.  
PO Box 611  
Lincoln, NH 03251-0611

**Property:** 260 Main Street (Map 117, Lot 120000-02-00018) in the General Use (GU) District.  
Unit 18 Office Condominium in “The Depot Shopping Plaza” an Office Condominium in Building 2, and surrounding common land.

**Proposal:**

In response to the COVID-19 situation, Applicant proposes to add another bathroom to Gordi’s Fish and Steak House Restaurant (“Gordi’s”) as well as a wraparound deck around a portion of the perimeter of Gordi’s restaurant to accommodate outdoor seating on common land. The bathroom and deck as conceived would be slightly greater than 500 square feet in size, the threshold to trigger Site Plan Review. Would the Planning Board consider waiving Site Plan Review for the entire Depot as this particular “Office Condominium” is in a stand alone building? Would they need a survey?

**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**