



PLANNING & ZONING DEPARTMENT

PLANNING BOARD AGENDA PLANNING BOARD 1ST MONTHLY MEETING & PUBLIC HEARING

Wednesday, January 24, 2024 – 6:00 PM

Planning Board Public Meeting

*Lincoln Town Hall, 148 Main Street, Lincoln NH

*Hybrid meeting available both in person & via Zoom Meeting Platform to allow for town wide participation. A quorum of Planning Board members must be physically present at the meeting. Although there is space in the large conference room for 8-12 guests in addition to the Board members, the public is welcome to participate remotely using ZOOM. Planning Board Meetings can be attended in-person at the Town Hall Building. Recordings of all Planning Board meetings can be found at www.youtube.com (Lincoln NH Planning Board Meeting 01-24-2024). Zoom access is for your convenience; use at your own risk. If any technical difficulties or if ZOOM should go down, the meeting will NOT be rescheduled.

Join Zoom Meeting

<https://us02web.zoom.us/j/81700766161?pwd=WUFKR2NlZk9xSzI1bVFPRWVzbyt4UT09>

Meeting ID: 817 0076 6161

Passcode: 179696

Find your local number: <https://us02web.zoom.us/u/kblNuPaMlG>

Or dial by your location 1-929-205-6099 US (New York)

(See also town website www.lincolnnh.org for 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.

II. CONSIDERATION of meeting minutes from:

- **December 13, 2023 (Wednesday)**

- Chairman James Spanos, Vice Chairman Joe Chenard, Selectmen's Representative OJ Robinson, Member Stephen Noseworthy, Alternate Danielle Black.

- **January 10, 2024 (Wednesday)**

- Chairman James Spanos, Vice Chairman Joe Chenard, Selectmen's Representative OJ Robinson (intermittently, via Zoom), Selectmen's Representative Tamra Ham (intermittently), Member Stephen Noseworthy, Alternate Danielle Black.

III. 6:00 PM CONTINUING AND OTHER BUSINESS (Staff and Planning Board Member/Alternates).

A. UPDATE RE: DRAINAGE PROBLEM BETWEEN RAYMOND BERGLUND, 11 SCHOOL STREET (MAP 113, LOT 098) AND JAYNE LUDWIG, 12 PLEASANT STREET (MAP 113, LOT 092) AND PLANS FOR SOLUTION FROM PLANNING BOARD MEETINGS OF JUNE 8, 2022 AND AUGUST 10, 2022.

On June 8, 2022 and then August 10, 2022, Raymond (Ray) Berglund, owner of 11 School Street, (Map 113, Lot 098) updated the Planning Board on the drainage issues between his property and the property of Jayne Ludwig at 12 Pleasant Street (Map 113, Lot 092).

Berglund planned to put a fence between 12 Pleasant Street and 11 School Street. His plan entailed creating a retaining wall in the rear of the 11 School Street property with an above ground drainage run off system to force water down to a dry well. He was going to add French drains as well. He was going to install fencing after the drainage problems are fixed and the fence would be seven (7) inches onto the property of 11 School Street which

will still allow both properties to access their garages. He was to email the plans to Planner Bont. Mr. Berglund asked to have this matter put on the agenda for September, 2022.

On October 26, 2022, at the last Planning Board meeting Jayne Ludwig asked the Planning Board to request a status update as nothing has been done to date. The parties attended the Planning Board on November 9, 2022, but the Board did not have a quorum. The parties were asked to come to the next meeting on November 22, 2022. On November 22, 2022, Mr. Berglund was unable to attend the meeting. The Planning Board agreed to notify both parties and let them know that the Planning Board will not take up this matter until they are both present for the meeting.

B. Review Pemi Base Camp File & Compose Letter

SPR 2022-20 M121 L050 South Peak LLC (Mark Bogosian d/b/a) & Loon Mountain Recreation Corporation (Brian Norton, President and General Manager)

Do changes to the Pemi Base Camp since the 2004 approval for Pemi Base Camp Ski Warming Hut in South Peak by the Planning Board amount to what would be considered “a substantial change or expansion of use” such that the Pemi Base Camp needs another Site Plan Review approval? Planning Board voted “yes” (3-2). Review files and response from Attorney for Loon President & General Manager Brian Norton.

Write letter explaining all of the changes that were made that constitute a “substantial change or expansion of use”.

C. 2nd PUBLIC HEARING ON PROPOSED CHANGES TO ZONING ORDINANCE

[2nd Public Hearing, if required: Wed., January 24, 2023, at 6:00 PM]

on the following proposed zoning amendment:

Proposed Amendments to Zoning Ordinance (Land Use Plan Ordinance [LUPO]) including:

1. Add Short-Term Rentals Ordinance to the LUPO as recommended by the Board of Selectmen.

Short-Term Rentals Ordinance was initially proposed by Board of Selectmen. Planning Board held its 1st Public Hearing on January 10, 2024. After receiving public input, the Planning Board voted to amend the proposed Short-Term Rentals Ordinance, rendering it without purpose or effect.

Subsequently, at a regularly scheduled Board of Selectmen’s meeting on Tuesday, January 17, 2024, the BOS voted to withdraw their proposed Short-Term Rentals Ordinance.

However, since the Planning Board amended the original proposed Short-Term Rental Ordinance after the 1st Public Hearing, the Planning Board will hold a second public hearing and take into consideration the BOS vote to withdraw the proposed Short-Term Rentals Ordinance.

2. Create 2 General Use (GU) Districts by changing the characteristics of the General Use (GU) District in different parts of Town:

a. General Use Downtown

Along both ends of Lincoln Village along Main Street/NH Route 112/Kancamagus Highway and along both sides of East Branch Pemigewasset River.

- 1) **Business Uses** like (a) Manufactured Housing Park, (b) Motor Vehicle Sales & Service & (c) Gas/Fuel Sale & Storage are permitted by Special Exception.
- 2) **Industrial Uses** like (a) Earth, Gravel & Stone Removal, & (b) Manufacturing Other than a Home Business are permitted by Special Exception.
- 3) **Industrial Uses** like (a) Junk Yards, and (b) Bulk Storage/Warehousing are not permitted.
- 4) **Change Dimensional Setback Requirements** for an Accessory Building by increasing the rear setback from 5 feet to 10 feet and the side setbacks from 5 feet to 10 feet.

b. General Use Route 3

Along portions of Connector Road & US Route 3/Daniel Webster Highway & Connector Road and Liberty Road

- 1) **Business Use** – Campgrounds are permitted without a Special Exception.
- 2) **Change Dimensional Requirements:**
 - a) Reduce Minimum Lot Size for Duplex from 22,500 SF to 15,000 SF with a maximum of 3,000 SF of total living space, otherwise, Minimum Lot Size for Duplex is 22,500 SF.
 - b) Reduce side and rear setback requirements, staying with 15-foot setbacks in front, but reducing sides and rear setbacks from 15 feet to 5 feet.
 - c) Increase the Percentage of Maximum Lot Coverage from 70% to 75%.

3. Revise Characteristics of Village Center (VC) District

- a. Veterinarian & Dog Kennels are permitted by Special Exception;
- b. Industrial Uses like Manufacturing Other than a Home Business is permitted by Special Exception.
- c. Industrial Uses like Bulk Storage/Warehousing are not permitted.
- d. Change the Dimensional Setback Requirements for an Accessory Building by increasing the rear setback from 5 feet to 10 feet and side setbacks from 5 feet to 10 feet.

4. Add Short-Term Rentals Ordinance to the LUPO as recommended by the Board of Selectmen (Proposed by Board of Selectmen)

5. Add Definition of “Useable Space” to Definition Section of LUPO & to Site Plan Review Regulations and to Subdivision Regulations. *[Note: “Adequate Useable Space” is already in Article VIII Board of Adjustment, Section A. Board of Adjustment related to appeals for a Special Exceptions] (Recommended by Town Attorney)*

6. Revise Definition of Multi-Family Housing

7. Add Definition of Dwelling Unit

Full text of proposed amendments is on file at the Town Offices open M-F 8:00 AM – 4:00 PM.

IV. NEW BUSINESS

- A. None for this meeting.

VI. 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.

VII. ADJOURNMENT.