

Town of Lincoln Planning Board – Meeting Minutes
December 14, 2011 – 6:00 pm

Present: Chairman Pat Romprey, Clerk Jim Spanos, Selectman Peter Moore, Deanne Chrystal, John Hettinger, Charlie Cook (alternate), Ivan Saitow (alternate),

Staff Present: Town Manager Peter Joseph, Planning Administrator Matt Henry

Excused Absences: Chester Kahn (alternate) Tom Adams (alternate)

Others Present: Tammy Ham, Edwin Peterson, Ryan Peterson, Randy Farwell, Kristin Peterson,

I. CALL TO ORDER by Chair at 6:00 P.M.

Chairman Romprey called the meeting to order.

II. CONSIDERATION of Draft Meeting Minutes for 11/09/11

The Board made the following changes to the minutes:

- 1) Change “Carol Gullen” to “Carol Gillen” on page 1
- 2) Change “John” to “Dan” on page 1.
- 3) Add “to” to page 2.
- 4) Change “them” to “Common Man” on page 2.
- 5) Add page numbers
- 6) Change “it” to “Parking Requirements” on page 3
- 7) Eliminate the apostrophe on page 3.
- 8) Change “into” to “in” on page 4.
- 9) Delete “Matt Henry...should be granted” on page 4.

MOTION: Peter Moore made a motion to approve the minutes of 11/09/2011 with the changes. John Hettinger seconded the motion. The motion carried unanimously (5-0-0).

III. NEW BUSINESS

CONCEPTUAL DISCUSSION regarding the possibility developing a parcel of land on Bog Brook Road Tax Map 108 Lot 021 into a commercial maintenance shop.

Edwin Peterson began by explaining that he received a letter from Matt Henry indicating that the town believes there is a violation of Site Plan Review. Mr. Peterson said that the assumptions stated in the letter are incorrect. Matt Henry encouraged Edwin Peterson to draft a letter to address each point of the alleged violation, but the violations were not the purpose of the visit with the Planning Board. The purpose of the Planning Board visit is a conceptual discussion to determine application requirements and offer suggestions to Mr. Peterson.

Town of Lincoln Planning Board – Meeting Minutes
December 14, 2011 – 6:00 pm

Edwin Peterson explained that he originally intended to purchase a piece of property along Route 3 that was previously a garage because the Town had indicated that site plan review would not be required for that location. However, the purchase fell through because Edwin Peterson was unable to obtain financing from the bank. Edwin Peterson is exploring alternatives. Edwin Peterson said that he met with town staff who indicated he is not allowed to convert his home into a commercial shop because of the zone where his property is located. Matt Henry said that the change of use is not impossible, but requires a variance from the ZBA.

Edwin Peterson said that he met with Matt Henry to explore various possibilities. One possibility is to purchase the parcel of land across the street that is Zoned General Use. However, Matt Henry indicated the parcel requires either a Voluntary Lot Merger or a variance because the minimum lot size is 15,000 sq. ft. Edwin Peterson said that merging the parcel is not an option because there is a cabin on the abutting parcel owned by his father.

Matt Henry said that the applicant must provide all the application items listed in the Site Plan Review Regulations and since a Maintenance shop is “high impact”, the Planning Board may require peer review if it so chooses. Edwin Peterson said that he has invested over \$20,000 in tools and equipment to open the shop and he does not have very much money left to invest. Matt Henry said that there are also likely state mandated environmental requirements.

Chairman Romprey said that it appears that for Edwin Peterson to change his home into a garage, approval from the ZBA is necessary. The most desirable option for all parties is to rent a location already approved to be a garage. Chairman Romprey said that the Planning Board supports small businesses but regulations must be followed and the Planning Board is unable to waive the zoning requirements.

CONSIDERATION of a request to waive Site Plan Review Regulations Submitted by Alpine Adventures for renovations to his tourist attraction located at Tax Map 112 Lot 053.

Planning Board: Approve or disapprove the waiver request

Public Hearing: Not required

Randy Farwell explained he is planning on adding a ramp to his current tourist attraction at Alpine Adventures. Mr. Farwell showed the Planning Board a set of plans. It is his opinion that all he needs is a Building Permit. The Planning Board had asked Mr. Farwell to come in to explain renovations that he planned to conduct. Randy Farewell said that he was adding a ramp that customers are able to ski, bike, or snowboard down and land on a large airbag. He said the attraction will not impact his hours of operations and the height of the attraction will not be increased.

MOTION: Peter Moore made a motion to waive SPR for Alpine Adventures in order to construct the attraction as described. John Hettinger seconded the motion. The motion carried unanimously (5-0-0).

Town of Lincoln Planning Board – Meeting Minutes
December 14, 2011 – 6:00 pm

CONSIDERATION of an application for a Voluntary Lot Merger submitted by Carla and Chairman Romprey to merge Tax Map 117 Lots 019, 025, 026, 027, 028 and 027000-01-00000

Planning Board: Approve or disapprove Voluntary Lot Merger application

Public Hearing: Not required

Chairman Romprey recused himself because he is the husband of the applicant requesting the Voluntary Lot Merger (hereafter VLM) Ivan Saitow was seated. Vice-chairman Jim Spanos assumed chairmanship. The Board discussed the merger with Chairman Romprey. Chairman Romprey said that his wife is simply seeking to merge the garden lots into 117-025.

Peter Moore asked how large all the lots combined will be. Chairman Romprey said that all the garden lots combined with the mother lot will be almost two acres in total. The VLM will be recorded at the Grafton County Registry of Deeds.

MOTION: John Hettinger made a motion to approve the Voluntary Lot Merger as presented. John Hettinger seconded the motion. The motion carried unanimously (5-0-0).

Following the vote, Chairman Romprey reviewed his wife's application and said that it is her intention to merge Tax Map 117 Lots 025, 026, 027, 028, and 027000-01-00000. It was her intention not to merge Lot 019 as indicated on the application. That was an error.

MOTION: Jim Spanos made a motion to revise the aforementioned motion to reflect the intention of the applicant: To merge Tax Map 117 Lots 025, 026, 027, 028, and 027000-01-00000 while leaving Tax Map 117 Lot 019 a separate parcel. Peter Moore seconded the motion. The motion carried unanimously (5-0-0).

The Planning Board discussed whether it could revise the application contrary to what was on the Voluntary Lot Merger form. The Planning Board decided that the applicant will fill out a revised form to reflect the motion made and the revised form will be registered at Grafton County Registry of Deeds.

IV. CONTINUING & OTHER BUSINESS (Staff and Planning Board Member/Alternates).

A. Master Plan Revisions – Vision

The Board discussed possible revisions to the Master Plan. Some substantial changes were made to the mission and vision statements. A section about Route 3 revitalization was added as well as other changes, deletions, updates and corrections.

B. Land Use Plan Ordinance Amendments Discussion and Timeline

Town of Lincoln Planning Board – Meeting Minutes
December 14, 2011 – 6:00 pm

The Board discussed the proposed timeline for amending the Town of Lincoln Land Use Plan Ordinance. The timeline is as follows:

December 14 – Last day to accept citizen petitions to amend the Land Use Plan Ordinance. Planning Board’s discussion regarding possible amendments they are to propose.

December 28 – Planning Board’s 2nd discussion regarding possible proposed amendments.

January 11 – Littleton Courier notice published indicating two public hearings if it is anticipated that a 2nd public hearing will be necessary. Planning Board’s 3rd discussion regarding possible proposed amendments (if necessary).

January 24 (Tuesday) – 1st Public Hearing held.

February 1st (1st Wednesday) – 2nd Public Hearing held and final form of amendments determined.

The Planning Board discussed the following amendments:

1. Tent Sales – Add to the “temporary sales location” section of the LUPO Article V, Section B, add that temporary sales locations **“include, but are not limited to, tent sales, temporary stands, etc”**.

Amendment to be placed on the ballot.

2. Add “Veterinarian and Dog Kennels” to table of land uses. Define Veterinarian and/or Dog Kennels as **“Veterinarian and/or Dog Kennels - A use of premises on which four or more dogs other than personal pets at least four months of age are kept, boarded, trained or given medical or surgical treatment and are cared for during the period of such treatment whether or not in special structures or runways**

Amendment to be placed on the ballot.

3. Replace **“Building Inspector”** with either **“Zoning Administrator”** or **“Board of Selectmen”** in Floodplain Development District section.

Amendment to be placed on the ballot.

4. Eliminate additional variance criteria in Floodplain Development District section.

Peter Joseph asked Matt Henry to consult with an attorney to ensure the additional criteria should be removed.

Town of Lincoln Planning Board – Meeting Minutes
December 14, 2011 – 6:00 pm

5. Add “Resort Property” definition. **“Resort Property – A business who’s property contains one or more structures containing guest rooms, condominiums, or time-share units that also provide outdoor recreational activities”**

The Planning Board decided that the definition should be reworked prior to placing it on the ballot.

6. Replace **“on lots having non-residential uses”** with **“for non-residential fences”**

Amendment to be placed on the ballot.

7. **Eliminate references to BOCA or replace them with International Building Code**. The town should not have specific reference language in the Zoning Ordinance in the first place without officially adopting RSA 155:A. If the town makes mention of building code, it should be enforced. If it is not to be enforced the language should be removed.

Amendment to be placed on the ballot.

8. **Planned Unit Development – “Planned Unit Developments located on an envelope of land separate from the common area need not conform to dimensional requirements so long as the structure is contained within the envelope owned in its entirety by the property owner. For construction to take place on common land written approval from the property owners association is required.”**

Amendment to be placed on the ballot.

9. Change **“Building Permit”** to **“Land Use Authorization Permit”**

Amendment to be placed on the ballot.

10. Change **“Certificate of Occupancy”** to **“Certificate of Land Use Compliance and Fire Safety”**

Amendment to be placed on the ballot.

11. **Section E: Aesthetic Design Incentive**

Sign size may be exceeded by 50% if it meets the following aesthetic criteria:

- 1) Color: No more than 3 colors shall be used. Colors shall be compatible with the building it is advertising.**

- 2) **Lighting:** As is allowed in the Village Center Zone.
- 3) **Materials:** Organic looking materials such as wood, glass, brass, bronze, or iron. Wooden signs shall be constructed of dense, clear wood that adapts to carving, paint, or stain. Ordinary plywood of low quality will not be considered “wood” but overlay, exterior, or marine plywood are of good quality to withstand exposure to weather erosion. Non-organic looking material such as plastic, aluminum and vinyl will qualify for the aesthetic design incentive if it is made to realistically resemble Organic looking material.
- 4) **Lettering:** Shall be the same color, font, and size.

The Planning Board decided the sign ordinance should not be altered. The Board said that the sign ordinance was revised years ago to allow flexibility through the Special Exception process. The Board recognized that there can never be an ordinance that addresses each specific concern and adding an aesthetic design incentive would make it more confusing.

12. New Special Exception Criteria for Signs: **A Special Exception will be granted so long as the sign meets the following criteria:**

- 1) **The sign is consistent with the spirit of the Town of Lincoln Master Plan and stated purpose of the Lincoln Sign Ordinance.**
- 2) **The sign will enhance the tranquility of the Zone.**
- 3) **The sign enhances the overall quality of the Zone which it is located.**
- 4) **The sign mends existing or potential hazards or unsightly distractions related to traffic, lighting, color, size, or the overall tranquility of the district.**

The Planning Board agreed that some of the current Special Exception criteria was not specific to signs. The Board decided that this criteria was more specific to signage and should be placed on the ballot.

13. To make clerical revisions to include correcting typographical errors, bolding words that are defined, etc.

The Planning Board decided that if clerical revisions are made those revisions should be approved at town meeting. The Planning Board decided this amendment should not be placed on the ballot.

The Planning Board decided not to place amendments #11 & #13 on the ballot.

V. REVIEW AND COMMENT on the MATRIX REPORTS and OPEN FILES pertaining to:

A. Building Permit Applications

Town of Lincoln Planning Board – Meeting Minutes
December 14, 2011 – 6:00 pm

- B. Land Use Subdivision and Site Plan Applications/Approvals
- C. Sign Permit Applications
- D. ZBA Applications
- E. Violations

The Planning Board reviewed the Matrix Reports.

VI. PUBLIC INPUT on Specific Issues

Nobody spoke.

VII. ADJOURNMENT:

The meeting was adjourned by the Chair at 8:15 pm.

Dated: December 28, 2011

Pat Romprey, Chairman