

**APPROVED**

**LINCOLN PLANNING BOARD  
REGULAR MEETING MINUTES  
WEDNESDAY, AUGUST 22, 2018 – 6:00PM  
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH**

**Present:** Chairman Jim Spanos, Member Mark Ehrman, Selectmen's Representative O.J. Robinson, Alternate Norm Belanger, Alternate Stephen Noseworthy

**Members Excused:** Vice Chair Joseph Chenard, Member Patrick Romprey, and Alternate Callum Grant

**Members Absent:** None

**Staff Present:** Town Planner Carole Bont

**Staff Excused:** Ellyn Franklin, Recorder

**Guests:**

- **Jayne S. Ludwig**, resident, 12 Pleasant Street, Lincoln, NH 03251 (Map 113, Lot 092) and Selectman for the Town of Lincoln.

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

*Vice Chair Joseph Chenard, Member Patrick Romprey, and Callum Grant were excused. Steve Noseworthy was seated.*

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

**August 5, 2018**

**Motion to approve the minutes as amended: Robinson**

**Second: Ehrman All in favor: (5-0) Motion carries.**

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

**IV. NEW BUSINESS:**

**A. 6:00 PM. Site Plan Review – Dipak Patel d/b/a Hampton Inn**

**1. SPR 2018-05 M112 L002 & L003 – Del Regno+Patel**

**2. Applicant:** Dipak Patel, 1567 White Mountain Highway, PO Box 3299, North Conway, NH 03860-3299.

**3. Applicant's Engineer:** Nicholas J. Sceggell, P.E., DuBois & King, Inc., 831 Union Avenue, Laconia, NH 03246

**4. Applicant's Surveyor:** Gardner Kellogg, Kellogg Surveying & Mapping, Inc., 254 Mann's Hill Road, Littleton, NH 03561

**5. Property Owner of Both Lots:** Victor R. Del Regno, Trustee of Toreign III Realty, 6718 Fox Hollow Drive, West Palm Beach, FL 33412

- 37 6. **Agent for Property Owner:** Kevin McNamara, Real Estate Agent for Re/Max in  
38 the Mountains, 264 Main Street, Suite 2 PO Box 175, Lincoln, NH 03251.
- 39 7. **Properties:** (both lots are in the Village Center (VC) District):
- 40 a. Main Street (Lot 3) #LO (**Map 112, Lot 002**) and;
- 41 b. Main Street (Lot 2) #LO (**Map 112, Lot 003**)
- 42 8. **Proposed Project:** Applicant who has a purchase and sale agreement with the  
43 property owner of two adjacent lots is proposing requesting **Site Plan Review**  
44 approval for a change of use to change the use of two adjacent properties in the  
45 same ownership (i.e., two existing vacant lots with three rental billboards) and to  
46 make site improvements to include a new 4-story 93-room Hampton Inn & Suites,  
47 paved parking for hotel & a separate 15,000 square foot lot, five new stormwater  
48 infiltration systems and connections to municipal water, municipal sewer &  
49 electric. The proposed project will also require a boundary line adjustment or  
50 subdivision.

51 **Discussion:**

52 Planner Bont said she asked Applicant Patel if he would be willing to agree to continue his hearing  
53 to September 12, 2018, because she believed he lacked a complete application at this time. After  
54 some discussion, the applicant agreed.

55

56 **Motion to continue Patel's hearing until September 12, 2018: Belanger**

57 **Second: Romprey All in favor: 5-0 Motion carries.**

58 **B. 6:00 PM. Conceptual – Joey D. Bishop & Discussion re: Work Force Housing in**  
59 **General**

- 60 1. Joey D. Bishop owns 32 LaBrecque Street, Map 113 Lot 022 in the General  
61 Residential (GR) District. Minimum Lot Size in the General Residential (GR)  
62 District is 8,000 square feet. For a duplex Minimum Lot Size is 12,000 square  
63 feet. The lot is 0.31 acres or 13,503.6 square feet. The lot has two mobile homes  
64 on it. Bishop would like to replace one or both of the mobile homes with some  
65 workforce housing options. Under the Land Use Schedule, Elderly or Disabled  
66 Housing is allowed in the General Residential (GR) District, but not Multi-Family  
67 Housing. Can the Planning Board waive the dimensional requirements?  
68 Dimensional Requirements for the Village Center may be waived by the Planning  
69 Board so long as they meet all other Zoning requirements. Can the Planning  
70 Board put a condition on a Site Plan Review approval that the owner use the  
71 property only for work force housing and not be able to use the property for short-  
72 term vacation rentals? Could that be a condition of approval?

73 **Presentation:**

74 **Discussion:** Joey Bishop was not present. This subject was on the agenda at the request of  
75 Planning Board member Robinson.

76 Planner Bont explained that one of the mobile homes on Bishop's property is very deteriorated.  
77 Bishop is also having issues with his employees finding housing. Bishop wants to replace the two  
78 (2) mobile homes on his property with a two-story building that has four (4) housing units inside.

There are a couple obstacles to that proposal. First, the lot is only 0.31 acres, and in the General Residential (GR) zone where he is located, multi-family housing (defined as residential housing of three units or more) is not allowed. Second, to create multi-family housing you must have a minimum square footage per unit. Planner Bont believes the property must have a minimum of ten thousand square feet (10,000 sf) per unit in order to support it. There is a discount in minimum square footage requirements for a duplex. For a duplex, the minimum is fifteen thousand square feet (15,000 sf), instead of twenty thousand square feet (20,000 sf).

**What are his options?**

1. Planner Bont said Bishop could replace the mobile homes, in kind, with housing units of the same size in the same location, because the two (2) mobile homes are pre-existing and nonconforming.
2. Or, Planner Bont said Bishop could remove the two (2) mobile homes and put a single-family home on the lot with an attached accessory apartment. An attached apartment could still have a separate entryway.
3. However, Planner Bont said Bishop could get a Special Exception from the ZBA in order to put in a detached apartment, but getting a Special Exception is not really what Bishop wanted to do.

Planner Bont recalled that last year the Planning Board discussed developing some type of overlay district that would apply to all districts that would provide a density or other kind of incentive for a developer to create workforce housing in different districts. However, the Planning Board never fully developed that idea.

Planner Bont did receive a telephone call before the meeting from one of Bishop's abutters who said he was not in favor of a multi-family home at this site.

Planner Bont has been hearing from applicants that they can no longer buy a manufactured home with the same dimensions as some of the older model manufactured homes. So, replacing dilapidated manufactured homes with a new one, in kind, may not be an option. Selectman's Representative Robinson said he believes in such a case it would be easy to prove a hardship case to the ZBA, as manufacturers of manufactured homes no longer make twelve foot (12') mobile homes anymore.

Selectman's Representative Robinson believes that Bishop could put in a single-family home with an attached apartment without coming before the Planning Board, but anything more would require a presentation to the ZBA for a density variance.

The larger discussion is, do we want to have any kind of overlay for employee housing? Chair Spanos said, we should put the workforce housing overlay issue on the agenda for September 26, 2018.

**Laundry List for Discussion on September 26, 2018:**

- Workforce Housing
- Boarding House Definition

**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.**

Jayne Ludwig asked for a definition of the “overlay” the Planning Board mentioned. Chair Spanos explained that if the Town created an overlay district, the requirements for that district would apply to all of the town zoning districts as a whole and, for example, if the overlay district allowed for increased density in the event the developer were going to create workforce housing, the Planning Board would be less stringent on applying the density requirements to allow for workforce housing. Chair Spanos said that US Route 3 is an area ripe for this type of overlay district, because the infrastructure (i.e., municipal water and sewer) is already there. However, the Planning Board will need to start work from the beginning on this issue.

#### **OVERLAY ZONES**

*Basics* — An overlay zone is a zoning district which is applied over one or more previously established zoning districts, establishing additional or stricter standards and criteria for covered properties in addition to those of the underlying zoning district. Communities often use overlay zones to protect special features such as historic buildings, wetlands, steep slopes, and waterfronts. Overlay zones can also be used to promote specific development projects, such as mixed-used developments, waterfront developments, housing along transit corridors, or affordable housing.

#### **INCENTIVE ZONING**

*Basics* — Incentive zoning is a tool that allows a developer to develop in a way that ordinarily would not be permitted in exchange for a public benefit that would otherwise not be required. Often written into the zoning ordinance, incentive zoning allows the city to leverage variations in existing zoning standards and obtain public goods. For example, a developer may provide schools, parks, open space, plazas, low-income housing, or money, in exchange for greater flexibility in required building setbacks, floor heights, lot area, parking requirements, number of dwellings, and other minimum standards. The incentives vary by location, but governments usually calculate the incentives to balance the public advantage with the developer's costs and gains.

<https://www.planning.org/divisions/planningandlaw/propertytopics.htm>

#### **VI. ADJOURNMENT**

**Motion to adjourn at 6:35 pm: Ehrman      Second: Robinson      All in favor: 5-0**  
**Motion carries.**

Respectfully submitted,

*Ellyn Franklin*  
Recorder



James Spanos, Chairman

Date Approved: