

**APPROVED**

**PLANNING BOARD**  
**PLANNING BOARD 2ND MONTHLY MEETING**  
Wednesday October 26, 2022 – 6:00 PM  
**\*Lincoln Town Hall, 148 Main Street, Lincoln NH**

\*Hybrid meeting available both in person with social distancing & masks & via Zoom Meeting Platform to allow for town wide participation. A quorum of the Planning Board member must be physically present at the meeting. Although there is space in the room for 8-12 guests in addition to the Board members with social distancing, the public is encouraged to participate remotely using ZOOM.

**Join Zoom Meeting**

<https://us02web.zoom.us/j/81700766161?pwd=WUFKR2N1Zk9xSzI1bVFPRWVzbyt4UT09>

**Meeting ID: 817 0076 6161**

**Passcode: 179696**

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

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

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

**I. CALL TO ORDER:** Chairman James Spanos

**Members Present:** Chairman James Spanos, Selectmen's Representative O.J. Robinson, Stephen Noseworthy, Paul Beaudin

**Excused:** Vice Chairman Chenard and Mark Ehrman

**Staff Present:** Planner Carole Bont, Recorder Judy Sherriff (via Zoom)

**Guests:**

- **Frank Pasciuto**, resident, and co-owner with Virginia Marie Pasciuto, of 16 Valley View Lane, PO Box 192, Lincoln, NH 03251-0192 (Map 114, Lot 046) and co-owner with Virginia Marie Pasciuto of 10 Green Ridge Road #2 (Map 113, Lot 067000-02-00004).
- **Virginia ("Ginie") Marie Pasciuto**, resident, and co-owner with Frank Pasciuto of 16 Valley View Lane, PO Box 192, Lincoln, NH 03251-0192 (Map 114, Lot 046) and co-owner with Frank Pasciuto of 10 Green Ridge Road #2 (Map 113, Lot 067000-02-00004).

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

- **October 12, 2022**
  - Chairman James Spanos, Vice Chairman Joe Chenard, Selectmen's Representative

OJ Robinson, Member Stephen Noseworthy, Member Paul Beaudin II., Alternate Mark Ehrman (via ZOOM)

**Motion to approve as amended by Selectmen's Representative O.J. Robinson  
Second Member Beaudin  
All in favor**

**III. NEW BUSINESS:** *None*

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

**A. SMW => REVIEW OF DETENTION PONDS AT THE PINES AT FOREST RIDGE AS APPROVED IN SITE PLAN REVIEW APPROVAL**

On September 14, 2022, Mount Coolidge Construction, LLC, conceptually sought a waiver of a portion of the Stormwater Management Ordinance – a waiver of Article V Stormwater Management Requirements, Section B of the Stormwater Management Ordinance. Section B reads as follows. “Post-development peak runoff rate and volume shall not exceed pre-development levels for a 25 year, 24-hour storm event.” The request was denied by the Planning Board.

**Owner:** Richard (Rick) Elliott (now deceased) and Jared Elliott d/b/a  
Mount Coolidge Construction, LLC  
3 Amalia Drive  
Nashua, NH 03063

**Agent(s):** David Yager  
57 Flanagan Drive  
Framingham, MA 01701  
Marc Burnell, PE, Project Manager, Horizons Engineering, Inc.  
34 School Street  
Littleton, NH 03561

**Property:** Map 114, Lot 080 (Woodland Loop Land Only) (8.26 Acres) in the Rural Residential (RR) District

The Planning Board determined that the request for a waiver did not constitute a *de minimis* change and the detention pond should be fixed and built as it was designed and approved. The matter was discussed at the BOS meeting on Monday, October 17, 2022. Follow up.

**Discussion:**

The Planning Board expresses their frustrations regarding the status of the detentions ponds and discuss how to move forward to ensure the ponds are fixed and built as designed and approved. The Planning Board discusses possible options which include placing a Cease-and-Desist Order on the development, pulling the building permits and using the performance bond. The Planning Board also discusses a possible policy change

to prevent a similar situation from occurring again in the future. The suggested policy change may include adding conditions of approval to include phased oversight.

The Planning Board agrees they would like to know what deficiencies exist and if further action is necessary. They will invite the developer and the town's engineer Ray Korber to join the November 9, 2022 Planning Board meeting to determine the status of the detention ponds and to determine the timeline for the repairs.

## **B. WORK SESSION. NO PUBLIC PARTICIPATION.**

### **1. Continue to Review Sign Ordinance to recommend changes to comply with Clyde Reed et. al. v. Town of Gilbert Arizona, 576 U.S. 155 (2015), 135 S Ct 2218 (2015).**

#### **Work Session Discussions**

The Planning Board continues to review and suggest changes to the Sign Ordinance to ensure it is "content neutral." Planner Bont makes notes on the existing Sign Ordinance to reflect the suggested changes on Page 25. After completing discussions on Page 25, the Planning Board moves to Page 53 and continues to review the current ordinance and suggest changes. Planner Bont notes all suggested changes.

Along with the discussion on changes to the Sign Ordinance, the Planning Board suggests that every sign that is approved in the future be photographed to note the size, shape, and location as a way to enforce the Sign Ordinance. It is suggested that a photo would be required on a Sign Application. As for current Signs, Member Beaudin suggests that the town staff take photos (one per week) of business signs around town.

The Planning Board turns to Page 66 and reviews. A discussion regarding vehicles with signage begins and the Planning Board works through how they will word this category in the Sign Ordinance.

The Planning Board reaches Page 69 and reviews it. Banners, flags, and exempt signs are discussed as they relate to the sign count. Planner Bont notes suggested changes.

The Planning Board moves on to Page 70-72 and has a long discussion regarding the removal of signs. Planner Bont notes suggested changes.

The Planning Board moves on to Sign Classifications on Page 73 and they have a long discussion. Planner Bont notes suggested changes and merges parts of Page 73 (Informational Sign) to Page 66.

The Planning Board agrees to stop at Page 73 and move on to Page 75-101 at the next work session. Selectmen's Representative O.J. Robinson suggests to Planner Bont that she make a note that Multi-Business signs are in the ordinance and highlight them and ask the Planning Board to address it not only because it was part of the court decision but to decide how it will be divided up.

The Planning Board will resume discussions starting on Page 75.

**IV. PUBLIC PARTICIPATION AND OTHER BUSINESS:**

The Planning Board discusses next week's agenda.

**VI. ADJOURNMENT**

**Motion to adjourn by Member Beaudin**

**Second by Second by Selectmen's Representative O.J. Robinson**

**All in favor**

Respectfully submitted,

*Judy Sherriff*  
Recording Secretary

Date Approved: November 22, 2022



Chairman Spanos