

**LINCOLN PLANNING BOARD
REGULAR MEETING MINUTES
WEDNESDAY, OCTOBER 15, 2014 – 6:00PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH**

Present: Chair R. Patrick Romprey, Vice-Chairman Jim Spanos, Clerk John Hettinger, OJ Robinson, Selectmen's Representative, Paula Strickon, and Norman Belanger (Alternate)

Members Excused: Taylor Beaudin (Alternate), Callum Grant (alternate)

Members Absent: None

Staff Present: Planning and Zoning Administrator Carole Bont, and Town Manager & Town Planner, Alfred "Butch" Burbank, Wendy Tanner (recorder)

Guests:

No guests were in attendance.

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

The meeting was called to order at 6:00PM.

Taylor Beaudin and Callum Grant were excused.

CONSIDERATION of meeting minutes from:

- August 27, 2014
- September 24, 2014

Motion: To approve the meeting minutes from August 27, 2014.

Motion: OJ Robinson **Second:** John Hettinger

All in Favor: (4-0)

Pat Romprey abstained.

Motion: To approve the meeting minutes from September 24, 2014.

Motion: OJ Robinson **Second:** Jim Spanos

All in Favor: (4-0)

III. OLD BUSINESS

A. WORK SESSION BETWEEN PLANNING BOARD MEMBERS

1. Review 2003 Lincoln Master Plan to Work on Master Plan Update

This meeting is a "work session" therefore there will be no public participation in the discussion.

Carole Bont reviewed where the last meeting left of in the discussion of the Master Plan. The current issue is transportation. Numbers from different traffic counters were discussed. The North Country Council report is based on a traffic counter that is put across the road at random times during the year for 3 to 5 days. The Planning Board decided that the North Country

Council counter may not be of much value and focused more on the counter on Route 93 that is managed by the State of New Hampshire Department of Transportation, Bureau of Traffic. The Bureau of Traffic counter runs more frequently and gives a broader look at the number of cars that may be exiting at Route 112 in Lincoln.

Town Manager Burbank said that the Town does not have the resources right now to do this type of research and/or writing of the town's Master Plan. Burbank believes that the town should hire someone to do the majority of the leg-work involved in updating the current Master Plan. Burbank and Bont agreed that there is about \$20,000 available for this process. This would not let the Planning Board off the hook for doing the Master Plan because they would still be responsible to make decisions, but that the gathering of data could be done by someone else. Burbank stated that the Planning Board should be doing regular surveys within the town to obtain some of the detail required and get a feel for what townspeople are thinking now (versus 10 years ago) and where the town is heading in the future.

Chair Romprey asked if Town Manager Burbank had someone in mind to do this research and writing of the Master Plan.

Bont stated that she received estimates from North Country Council and another from June Garneau of MAPS, Mapping & Planning Solutions, but then stated that there were other parties that do this type of work. Bont thought that Jeffery Taylor of Jeffrey H. Taylor & Associates, Inc. may also be a possibility for the work. Bont stated that Ms. Garneau has already given her an estimate for \$10,500.

Chair Romprey asked what the estimate encompassed for that price.

Bont explained that there were copies of the estimate in front of each member of the Planning Board.

Town Manager Burbank again reiterated that someone should get out to do the "leg work" in collecting the information and that the Planning Board would still have hours of review to do once the initial leg work was done.

There was a quick vote to see if all Planning Board members agree to get estimates for the Master Plan work.

Chair Romprey stated that this would be recommendation versus existing.

The Planning Board discussed getting estimates for the writing and reproduction of a Master Plan for the Town of Lincoln.

The timeframe was discussed that it would take 12-24 months to write a Master Plan. Research would need to be done.

It was discussed that the Master Plan should be redone every 10 years and the last plan was written in 2003. The Planning Board agreed they are late, but that the Planning Board is working

on updating the current Master Plan and that 3 or 4 sections of the current plan are done and do not require any changes.

The conversation on the Master Plan ended with working on getting quotes from several different groups to write and publish the Town of Lincoln Master Plan.

IV. NEW BUSINESS

A. WORK SESSION BETWEEN PLANNING BOARD MEMBERS

1. Review Construction Control Affidavit Form (CCA)

Bont discussed the current CCA and showed copies of the current Town of Lincoln CCA form as well as one from a town in Massachusetts. Linda McNair Perry from Hoyle & Tanner is a structural engineer on a professional board. McNair Perry believes that people should sign an initial construction control affidavit so that they know up front that they will be held accountable for all aspects of the construction job. If applicants sign the CCA they are stating they will be in compliance with the state building code and the fire code. Then when a project is finished the applicant or contractor should sign the final CCA.

Carole Bont explained how the current process works and does not work with the applicants being responsible for having a construction control affidavit (CCA) signed once the work has been done. Many contractors refuse to sign them and contractors are not licensed in the State of New Hampshire.

The CCA process was discussed. It was discussed whether a contractor needed to be licensed before signing a CCA. The contractor needs to accept responsibility for each aspect that they were responsible for building, plumbing, electrical, design etc. Bont described that most of the plans received are not signed off by the architect. Bont explained that applicants pay an architect to do conceptual plans and then do not want to pay the fees for the final plans and only submit the conceptual plans to the town. Conceptual plans are never signed off on by an architect.

Chair Romprey stated that if the general contractor signs off on the CCA as the builder he is taking responsibility for the architect and the engineer.

Bont would like to take the recommendation of Linda McNair Perry and begin giving out a preliminary CCA so that the applicants understand that they will be required to have each contractor sign off on each aspect of the job.

Fraud was discussed. Some contractors are using other subcontractors' license numbers. It was agreed that contractors could not phone in subcontractor's license numbers but would need to come into the Town Hall to give license numbers for the CCA.

Chair Romprey asked if a third party inspection would be required on homes.

Bont and Town Manager Burbank both felt that third party inspection was too much to ask a residential home owner to pay for, however it is asked of commercial property owners.

Chair Romprey asked if we could recommend that home owners get a third party review once the project is completed. Town Manager Burbank agreed and reiterated that he would not want to make it mandatory for single family home owners.

The Planning Board questioned whether the Architects and/or General Contractors should actually sign the CCA. By signing the CCA they are assuming responsibility for the portion of the building that constructed. They in fact sign off on. Plumbing, electrical or architectural design are some of the things that can be signed off on.

Vice Chair Spanos asked if the architect would sign off on the preliminary CCA.

It was discussed that architects rarely sign off on a project because the General Contractor may or may not follow the design and the architect is still responsible.

Vice Chair Spanos then asked if the architect would be a licensed signer. Chair Romprey stated that as far as the trades go, electrical, plumbing, mechanical, fire protection, etc., they would be licensed. Vice Chair Spanos then asked if an electrician would design their own electrical system. Chair Romprey explained that the electrician would build according to the plans.

Vice Chair Spanos asked who would be required to use the CCA form.

Bont stated that she had only been using them for a house or an addition to a house, as well as all commercial building. Town Manager Burbank thought that renovations should be added also because when applicants come in for a Land Use Compliance Certificate it triggers many things (i.e. visit from the tax man, corrections to tax maps and possibly a reassessment).

Norman Belanger then stated that even adding a deck to a home the CCA form should be used so that the applicant or average home owner is aware that the deck needs to be built correctly and secured to the home correctly and that whoever signs off on the CCA form, be it the homeowner or the contractor will be responsible for the stability of the structure after completion.

Town Manager Burbank stated that it should be made clear to the applicant that although the town does not have a building inspector, the state does have a building code and it must be followed.

It was discussed that the architect would not sign a CCA. Chair Romprey stated that the architect would sign off that it was built to their plan. Bont and Town Manager Burbank stated that the architects will not sign off that it was built to their plan. That is where the town runs into problems, because the architects will not sign off on the CCA. Hettinger

stated that the architects have been told by their attorneys not to sign CCA forms. Chair Romprey stated that the architects have a professional business with no liability.

Vice Chair Spanos stated that the liability is in the design, not the building of it.

The design of the CCA was discussed. Chair Romprey stated that the example CCA form states that the Town Planner, Fire Chief or other town official can walk on the job site anytime with notice (paragraph 3).

OJ Robinson thought that because we do not have the resources or inspector to do inspections of contracting jobs, there is a paragraph on the preliminary form that should be removed. Robinson stated that the form would then state that whoever signs the form is stating that the plans were made to building codes, fire codes and accepted engineering practices.

On the final CCA form Robinson felt that the General Contractor would sign stating that he had inspected or built to code the plans presented to him and he would sign off.

Bont felt that the parts Robinson wanted removed should stay in because then the contractor or homeowner, whoever was going to sign off on the final CCA, would need to review the building regularly. Bont clarified that there would need to be one CCA for each person that provides professional services during the building (i.e. electrician, plumber, general contractor, etc.)

It was suggested to add "I am the General Contractor" to the form. The specifics of the form were discussed and what fields might need to be changed. It was mentioned that the property owner could also build their own house and there should be a field for property owner on the form. "Registered Design Professional", "General Contractor" or "Property Owner" are the three fields that need to be added to the beginning of the form.

The request to add gas lines to the Land Use Application was made.

Belanger stated that the responsibility should be on the homeowner. If the homeowner states that he/she is hiring a subcontractor, the subcontractor will be considered a general contractor. If the homeowner stated that they have a general contractor, the responsibility should be on the general contractor.

Robinson stated that for the design of the preliminary CCA form, he liked the beginning with the three different check boxes - Registered Design Professional, General Contractor or Property Owner - and that it was just the design stage for the initial form. Robinson then commented on the final CCA form as being where the contractor would need to sign off that his/her part of the project was built to code.

It was mentioned that rock walls might be added to the form, but agreed that "rock walls" fall under "structural" on the form. It was also pointed out that there is an "Other" field on the form and could be used.

There was a brief discussion on how the signoff for RiverWalk might happen when the building there is completed.

Hettinger said that when a large project or even a house project is underway, often times there are changes to the design during the building process and the architect has to come back in to document the changes.

Chair Romprey said that the architect has to document the changes “as built” at the end of the job.

Bont questioned if it was a requirement that new design plans are submitted when an applicant has made changes to the original design. Chair Romprey stated that submitting new plans when a change has been made is a requirement.

Robinson asked if it should be a Planning Board requirement that the applicant must provide “as built” drawings as part of the final CCA.

Chair Romprey stated that it was already a requirement but only if the applicant makes changes to the original plans.

Robinson asked if it should be put on the form when the building has had changes to the original design, that the “sign off” person agrees that the changes also conform to the state building codes. Spanos read from the form, *“any work not conforming to the original design plans computations and specifications, is indicated on a supplemental report attached to this final CCA”*.

Bont is going to create a more final form for approval by the Planning Board at a later date.

2. Clarify Parking Space Size

Planning Board agreed that 200 square feet was a large parking space and rarely are parking spaces that large. It was mentioned that at the Littleton Opera House the spaces were so small customers often had to wait for others to leave before they could move their car.

The size of parking spaces was discussed. Pollard Brook was allowed to reduce their parking spaces down to 170 square feet each.

Town Manager Burbank mentioned that the town of Derry, New Hampshire is putting in a parking garage. The price is \$20,000-\$25,000 per parking space in a parking garage. The parking space in the parking garage in Derry will be 170 square feet each.

OJ mentioned that the size of the parking space is not always the problem, but that the town should take maneuvering space into account. There needs to be enough space for maneuvering between the rows.

Town Manager Burbank mentioned that there is a business in town that has parking space, and if the parking spaces are 19 feet in depth, even with the proper parking spaces, there is not enough space to maneuver in the lot. If the abutter puts up a wall, the parking spaces would be useless. Town Manager Burbank's point is that the Planning Board can grant a size for parking spaces, however if maneuverability is not taken into consideration then the parking spaces could still be useless.

The thought to change the size of parking spaces was mentioned. Strickon stated that emergency vehicles would also need to be taken into consideration. The space needed for fire apparatus, or an ambulance would need to be looked at.

Chair Romprey stated that typically there is 20 to 25 feet of space between rows in parking lots.

Robinson felt that the Planning Board needed to pay more attention to the space between the rows than the actual size of the spaces.

Belanger asked for clarification that the 170 square foot size is where the markings are placed for the parking spaces. Chair Romprey agreed.

Chair Romprey stated there are two figures that are taken into consideration. One is the width of the parking space; the other is the turn radius behind the parking space.

Town Manager Burbank thought that the Planning Board needed to take the maneuvering space of a parking lot into consideration at time of site plan approval.

To change the Site Plan Review requirements the Planning Board can make that decision.

To change the ordinance to read 170 square feet and add new language for the maneuvering of the vehicle in and out of the parking space would require town meeting approval.

Bont was explaining that the Site Plan Review could add a paragraph to include some parking language.

Strickon asked if these decisions would conflict with State of New Hampshire regulations.

Town Manager Burbank stated that it would not and that the state recommends 9' x 19' parking space size. (171 square feet)

Town Manager Burbank will meet with HEB Engineers, Inc. and ask about wording for the parking spaces size and maneuvering space.

3. Review Conceptual Review Process

Chair Romprey explained and asked for confirmation to the Planning Board that the Board will no longer allow applicant to come in with a conceptual review with 3 or 4 different uses for the same building. The applicants need to come in with ONE request that they are serious about building. The Planning Board will no longer approve or listen to multiple uses for the same building.

Robinson does not think limiting the applicants to one business would be fair to most applicants.

Chair Romprey stated that it is not only a waste of time to approve an application for one purpose only to see the same business be used as something totally different, but that the process causes unjustifiable stress and paperwork for nothing.

Conceptual Review Process should be non-specific in nature. Questions are asked by the Planning Board to the applicant so that the applicant has a better understanding of the process and to get input from the Planning Board of any possible issues that may arise. No decisions are to be made during the Conceptual Review Process.

Town Manager Burbank felt that the wording in the Conceptual Review Process is ok, but that the Planning Board needs to be more diligent in the process in keep the meeting on track to the applicants' one business requested.

4. Draft Coordinated Public Transit and Human Service Transportation Plan

Bont asked the Planning Board to review the draft copy of the report Coordinated Public Transit and Human Service Transportation Plan received from the North Country Council. The numbers for the Town of Lincoln were reviewed briefly by the Planning Board.

There was a discussion about the numbers in the drafted plan.

VI. ADJOURNMENT

Motion to adjourn at 7:25PM

Motion: John Hettinger Second: Jim Spanos

All in favor (4-0)

Respectfully submitted,

Wendy Tanner, Planning Assistant

Dated: November 12, 2014


R/ Patrick Romprey, Chairman