

**LINCOLN PLANNING BOARD
REGULAR MEETING MINUTES
WEDNESDAY, FEBRUARY 13, 2019 – 6:00PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH**

APPROVED

Present: Chairman Jim Spanos, Vice Chair Joseph Chenard, Members Mark Ehrman and Steve Noseworthy, and Alternate Paula Strickon

Members Excused: Selectmen's Representative OJ Robinson, Alternate Deanne Chrystal

Members Absent: None

Staff Present: Fire Chief/Forest Fire Warden/Code Enforcement Officer/Health Officer Ronald R. (Ron) Beard

Staff Excused: Town Planner Carole Bont, Ellyn Franklin, Recorder

Guests:

- **Susanne (Susan) A. Chenard**, resident, 11 Liberty Road, Lincoln NH 03251 (Map 107, Lot 061) and Realtor for Loon Reservation Service, 264 Main Street, Suite 12, PO Box 785, Lincoln, NH 03251-0785, and owner of 19 Maple Street (Map 118, Lot 069)
- **Callum Grant** – resident, co-owner with Nola Grant of 207 US Route 3, PO Box 94, Lincoln, NH 03251-0094, Project Manager for Clark's Trading Post, Inc., 116 US Route 3, PO Box 1, Lincoln, NH 03251-0001

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

Selectmen's Representative OJ Robinson, and Alternate Deanne Chrystal were excused.

Alternate Paula Strickon was seated.

II. CONSIDERATION of meeting minutes from:

- **January 30, 2019**
Present: Chairman Jim Spanos, Vice Chair Joe Chenard, Selectmen's Representative OJ Robinson,
Motion to skip item II and move on to item III: Strickon
Second: Noseworthy
All in favor: 3-0 (Ehrman and Chenard had not yet arrived)
Motion carries.

III. NEW BUSINESS

A. 6:00 PM: Conceptual: Clark's Trading Post Inc. traffic flow, lighting, parking reconfiguration and other possibilities – Callum Grant

Presentation:

Callum Grant, Project Manager for Clark's Trading Post, Inc. ("Clark's"), said that back in May of 2016, the owners of Clark's came before the Planning Board for a Site Plan Review "Conceptual" to discuss whether or not Site Plan Review approval would be

required for a project to install and/or relocate a possible crosswalk across US Route 3, from the parking lots on one side of the road to Clark's Trading Post on the other side of the road per NH DOT's request and because the entire project would be located within the NH DOT's right of way. Furthermore, the project would not involve the construction of any structures, per se, other than a wheelchair ramp beside the steps. At that time the Planning Board did not expect that Site Plan Review approval would be required. When he came in May of 2016, Clark's had hoped to have the crosswalk installed and completed that year.

Regular Planning Board members Joe Chenard and Mark Ehrman entered the meeting.

Grant said after the May 2016 Planning Board meeting, Clark's spent a lot of money and time readying the plans to get them to meet NH Department of Transportation (DOT)'s traffic specifications. In the spring of 2017, however, Clark's learned that NH DOT will require Clark's to light the crosswalk with streetlights on both sides of the road at each end of the crosswalk, twenty-four hours per day, seven days per week (24/7). Despite all of the protests Clark's made that Clark's Trading Post was a daylight operation and inactive in winter and no one would be using the sidewalk in the winter, the NH DOT was firm about requiring 24/7 street lighting year-round. That is where Clark's left it. Clark's stayed with the crosswalk they already had with no changes through the summers of 2016, 2017, and 2018.

Grant said in late summer 2018, Clark's received a copy of a letter the NH DOT sent to Town Manager Burbank. The letter informed the Town of the State's intent to pave US Route 3 past Clark's in the spring of 2019. The purpose of the letter was to inform Town Manager Burbank that NH DOT would not allow a reinstallation of the current existing crosswalk at Clark's because the crosswalk does not meet current NH DOT requirements. The crosswalk was also never part of the original permit. The crosswalk was installed in the early 1970's.

Grant said that Clark's hired engineers to drafted revised plans to comply with NH DOT's current requirements. Grant wanted to present the revised plans to the Planning Board to inform the Board of what changes had transpired. These new plans are a revision of the original plans Grant presented to the Planning Board back in May of 2016. The only real change is the addition of streetlights. In addition, Clark's will have a visible structure above ground (the handicapped access ramp).

Grant said the existing crosswalk stretches from the parking lots on the west side of US Route 3, diagonally across US Route 3 to a flight of steps that go down the embankment leading down from the crosswalk and then another crosswalk that travels through the parking lot to the bear pens.

Grant said the revised plans include the following:

- **Remove Existing Crosswalk:** The existing crosswalk with steps will all be erased and moved about fifty to sixty feet (50'-60') north - up the road to in front of where the train engine is where train tracks start.
- **Crosswalk ADA Accessible with Ramp:** Because the crosswalk will be new, the crosswalk must be ADA accessible. That means there will be a required

seventy-two-foot (72') ramp that doubles back to get down the six foot (6') drop in elevation from the road to the parking lot.

- **Culvert & Drainage:** The crosswalk requires drainage on the west side as well as a culvert under the existing driveway.
- **Sidewalk:** The project also requires a five foot (5') wide paved sidewalk to help funnel people to the crosswalk.
- **Signage:** The project will also require a lot of signage. The crosswalk signaling system will be solar powered, radio matched and button-operated with flashing LED indicators that someone is waiting to cross.
 - **Example:** The proposed crosswalk will be exactly the same as the crosswalk going into the Town of Plymouth that has one end between the Irving Gas Station and the other gas station and then crosses US Route 3A to where the Plymouth State University (PSU) field house is.

Fire Chief Ron Beard entered the meeting.

- **Street Lights:** In addition, there will be eighteen foot (18') high standard streetlight heads to lighten both sides of the crosswalk at all times – 365 days of the year. The streetlights will be part of the existing streetlight circuit.
- **Project Within State Right-of-Way:** Grant directed the Planning Board's attention to Sheet 3 of 8 "C1.12" dated 2/12/19. On this plan, the heavy dark line with a dash and two dots represents the boundary line of the State of New Hampshire's Right-of-Way. At this spot, the width of the State Right-of-Way is fifty feet (50') from the center of the road. Almost the entire project will be within the State's Right-of-Way except a small portion of the seventy-two-foot (72') ramp.
- **Restrict Access off State Roads:** As a condition for granting permission to install the crosswalk, NH DOT wants Clark's to restrict access to their driveways into Clark's Trading Post, which are located further south near the intersection of US Route 3 with Connector Road (also known as US Route 3A).
 - **Change Two Curb Cuts to One:** NH DOT does not want Clark's to have two (2) driveways going into the main parking lot in front of Clark's Trading Post. The southern half of Clark's current driveway has been grandfathered since the 1970's. Based on what NH DOT wants, Clark's intends to close the southern portion of the driveway from the sign to the existing island (as detailed on page 3 of the plans). Clark's is going from two (2) curb cuts at that spot to one (1) curb cut. The vehicles will be able to exit from the other two (2) driveways.
 - **No Exit onto Connector Road:** NH DOT wants Clark's to change the access on US Route 3A the Connector Road/ end to be an entry only, no exit onto US Route 3A (Connector Road). The NH DOT's goal is to move Clark's driveway away from the intersection of US Route 3 and US Route 3A (Connector Road) junction.

- **Additional Parking:** Grant said that on page 4 & 5 of the plans, part of the original discussion was that Clark's was planning to create fifty (50) additional parking spaces on the west side of US Route 3, probably in the fall or next spring. Clark's looked at various locations to create additional parking spaces, along the brook and the side of US Route 3.

- NH DOT will not entertain the idea of more parking until the crosswalk is in place. Makes sense because additional parking across US Route 3 will mean an increase in the amount of pedestrian traffic going back and forth across the highway.
- Assuming that Clark's could get the crosswalk put in this year, Clark's would like to start looking at and planning to create fifty (50) more parking spaces on the west side of US Route 3. Given the size of the proposed parking area, the project will probably trigger Site Plan Review. Grant said he would like to get the proposed crosswalk and additional parking spaces on the table for a Site Plan Review "Conceptual" and hear the Planning Board members' thoughts about Clark's proposal.

Grant said the size of the area that would be involved in adding an additional fifty (50) parking spaces would qualify as "the addition of more than five hundred square feet (500sf) of ...impermeable surface to an existing nonresidential use...", that would trigger Site Plan Review. There are a number of issues the Planning Board will want to review such as drainage considerations, wetlands, and run off issues.

The Site Plan Review Regulations say:

CHANGE OR EXPANSION OF USE:

- (a) The conversion of any lot, parcel or building, or portion thereof, from a residential use to a nonresidential or multi-family use;
- (b) **The addition of more than 500 square feet of floor area or other impermeable surface to an existing nonresidential or multi-family use;**
- (c) The addition of less than 500 square feet of floor area or other impermeable surface to an existing nonresidential or multi-family use, if constructed within 3 years of any prior construction on the same lot or parcel;
- (d) A change of use from one category of permitted or special exception use, as listed in the land use schedule of Article VI of the Lincoln Land Use Plan Ordinance, to another such category of listed use, regardless of whether the change involves construction;
- (e) Any material changes to a previously-approved site plan, or series of changes over a 3-year period resulting cumulatively in a material change, as determined by the Planning Board Chair and Town Planner; and
- (f) Any material changes to a development that pre-existed prior to the adoption of Site Plan Review Regulations, or a series of changes over a 3-year period resulting cumulatively in a material change, as determined by the Planning Board Chair and Town Planner.

Grant asked the Planning Board for feedback as to what the Planning Board would be looking for in a Site Plan Review.

Chair James Spanos said that the Planning Board members should remember that because the hearing was a “Conceptual” that the members of the Planning Board and Grant could not go into too much detail.

Strickon said that what Grant is proposing to do at Clark’s is exceptionally good – making the crosswalk accessible to everybody.

Vice Chair Chenard said that Clark’s has been at that location for over 80 years. Clark’s Trading Post has always been upscale and the Clark’s have always done things “right to letter”. Clark’s always goes above and beyond what is required.

In 1928 Florence and Ed Clark opened a roadside attraction for White Mountain travelers in Lincoln NH. "Ed Clark's Eskimo Sled Dog Ranch," featured guided tours of their pure-bred Eskimo sled dogs and artifacts from the far North. The original "Stand", or Trading Post, offered souvenirs, tonic, and maple candy to the motorists on nearby Route 3.

Florence and Ed purchased their first Black Bear in 1931. Clark's Bears acted as the perfect "stopper," a visible attraction, gaining the attention of the curious passer-by. Starting in 1949 Edward and Murray, sons of Florence and Ed, began teaching and training the bears for show work. The Clark brothers and their bears, delighted guests with a healthy dose of wit, humor, and hospitality as they entertained and educated the audience. The Bear Show was born!

Chair Spanos asked whether the street lights lighting the cross walk had to be on all of the time or whether the lights could be switched off. Grant explained that the lighting part is button activated by someone waiting to cross on either side of the crosswalk. The lights are solar powered. The two lights are “radio matched” so both of the lights are triggered at the same time. It is a very specific type of crossing called a “Mid-Block Crossing” with an RFFB type flashing beacons on. The specs for those are very concise. Clark’s had hoped the NH DOT would give some leeway to not require street lighting that would be lighted all year round whether Clark’s Trading Post was open or not. Apparently, there is no leeway for that streetlight requirement. The three lights will be on whenever it is dark.

Steven Noseworthy asked Grant, “Clark’s is open only 100 days per year, but the street lights must be on 365 days per year?” Grant acknowledged Clark’s proffered that argument to NH DOT two (2) years ago, but to no avail.

Mark Ehrman asked if the lights were LEDs and photo-cell activated with an onsite energy source for the photo cells. Grant said that for the lights on the crosswalk signs the answer is “yes”, but the street lights will be part of the general street light circuit. The street lights will come on at dusk and go off at dawn.

Mark Ehrman said he could not comment on the efficiency of such a scheme, but he could say that the Town of Lincoln does need to make more concessions for the existence of pedestrian traffic, and the Clark’s proposal is a good small step in that direction. People do come down to the Trading Post from the Appalachian Trail at odd hours.

There is not a lot of foot traffic in that area, but there is substantial foot traffic at that intersection and the intersection is a tough intersection. A well-lit and safer crosswalk is a step in the right direction.

Grant verified with the Planning Board that the Planning Board did not think the crosswalk by itself triggered Site Plan Review, but that Site Plan Review would be triggered in the event Clark's decided to add parking spaces. The Planning Board agreed. Grant will return for Site Plan Review if and when Clark's decides to go forward with the plan to add parking spaces.

IV. 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.

None.

VI. ADJOURNMENT

Motion to adjourn: Strickon

Second: Ehrman

All in favor (5-0):

Motion carries.

Meeting adjourned at 6:20 PM.

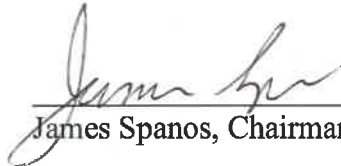
Respectfully submitted,

Ellyn Franklin

Recorder

March 25, 2019

Date Approved:


James Spanos, Chairman