

**LINCOLN PLANNING BOARD
REGULAR MEETING MINUTES****APPROVED****WEDNESDAY, MARCH 26, 2014 – 6:00PM****LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH**

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

Members Excused: Paula Strickon

Members Absent: None.

Staff Present: Planning and Zoning Administrator Carole Bont, and Town Manager & Town Planner, Alfred "Butch" Burbank, and Nikki Donohue, Minute Taker in Training.

Guests:

- Herbert J. Lahout, of 64 Sunset Hill Road, Sugar Hill, NH 03586, owner of 31 Main Street, Lincoln, NH (Map 112, Lot 028) location of the former Bill and Bob's Famous Beef House building and 33 Main Street, Lincoln, NH (Map 112, Lot 027) location of the former Quiltstead building.
- Desmarais, Denis E., Trustee of the Denis E. Desmarais Revocable Trust, PO Box 711, Lincoln, NH 03251, property owner of 11 Maple Street, Lincoln, NH (Map 118, Lot 066)
- Cheryl Bailey, resides at 11 Maple Street, Lincoln, NH (Map 118, Lot 066)
- Lawrence George "Chopper" Hartle, Jr., PO Box 216, Lincoln, NH, owns 29 Main Street, (Tax Map 118, Lot 026).

I. CALL TO ORDER: by Chairman Pat Romprey at 6:00 P.M.

Chair Pat Romprey called the meeting to order. Paula Strickon was excused.

II. CONSIDERATION OF DRAFT MEETING MINUTES FROM:

- February 12, 2013 (if completed)
- February 26, 2013 (if completed)

Motion to table the minutes until the next meeting.

Motion: Spanos.

Second: Hettinger.

Motion carried (4-0).

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

This matter was moved to the end of the meeting.

IV. NEW BUSINESS

Chairman Romprey invited the people presenting their conceptual plans to go first.

- A. **Conceptual: Possible Site Plan Review/Change in Use:** Lawrence George Hartle, Jr. (“Chopper”) would like to discuss the possibility of operating the Moose Tours with bus from the store known as “The Mothership Snowboard Shop” owned by David Rodgers at 278 Main Street (Map 117, Lot 119) near the Depot and across NH Route 112 from Gordi’s Steakhouse (260 Main Street)

(The tape recorder did not work.)

Hartle, Jr., presented his conceptual idea. He would like to operate the Moose Tours with his bus from the store on property owned by David Rodgers at 278 Main Street, (Map 117, Lot 119) near the Depot NH Route 112 and across from Gordi’s Steakhouse at 260 Main Street.

Members of the Planning Board asked questions and expressed their opinions that Hartle, Jr., should address the following concerns with his site plan:

- 1. Is the parking adequate for the maximum number of cars for passengers? Yes.*
- 2. What is the maximum number of customers he would expect at any one time?*
- 3. Would he be using just the parking lot or would he be using the building to sell tickets and use the facilities? Hartle, Jr., would be using both the building and the parking lot.*
- 4. Show on his plan that he has adequate ingress and egress patterns for the traffic of drivers coming to participate in the tours.*
- 5. Would Hartle, Jr., be using the location full time? No. Hartle would be using the property at times other than ski season when the store, “The Mothership”, of the property owner, David Rodgers, would be open for business.*
- 6. Make sure that adequate parking and traffic flow is well-marked so as to avoid collisions during peak times.*
- 7. Hartle should indicate which months, days and hours he would be in operation.*
- 8. Signage? Hartle, Jr., is planning to have signage on his bus as well as on the building. The Planning Board would like to see his proposed signs on the plan.*

- B. **Conceptual: Possible Site Plan Review/Change in Use:** D. Desmarais Builder, LLC –Denis Desmarais would like to discuss the possibility of converting a two family home on 11 Maple Street (Map 118, Lot 066) to a woodworking/locksmith shop and install business signs.

(The tape recorder did not work.)

Denis E. Desmarais presented his conceptual idea. The house is a two family house. [Actually it is more like a house with an accessory apartment.] There is an addition in the back. Desmarais intends to live in the addition in the back. He would like to turn the bottom floor in the front into a woodworking and locksmith shop. There is also an apartment upstairs in the original front part of the building.

Members of the Planning Board asked questions and expressed their opinions that Desmarais address the following concerns with his plan:

1. *Is his business going to be like a home business or is it going to have a retail aspect with customers coming and going to his place of business and parking their cars? It would be more like a home business. He makes the cabinetry in his shop and then he will deliver it to his customers.*
2. *What kind of deliveries of materials and supplies would be taking place? He will have room for the delivery of materials by truck. The truck will be able to pull in off the public road and onsite to unload.*
3. *Does he have a place on his lot for deliveries to take place?*
4. *Desmarais should show on his plan that he has adequate ingress and egress patterns for the delivery truck and for his car and his tenants' cars.*
5. *Will he have any employees? Probably not.*
6. *What are the days and hours of operation? He should indicate what those will be.*
7. *Signage? He is planning to have relatively small signage on his property. The Planning Board would like to see his proposed signs on the plan.*

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

The following two matters have the same applicants and involve the same properties:

A. 6:00 pm. Application For Planning Board Approval Of Voluntary Lot Merger between 2 Lots.

1. Application (SPR & SUB #2014-01)

Property: 31 Main Street (Tax Map 112, Lot 027) & 33 Main Street (Map 112, Lot 028).

Proposal: Presently Tax Map 112, Lot 027 is 0.07 acres and Tax Map 112, Lot 028 is 0.10 acres. When merged the combined lot size will be 0.17 acres. Both lots are owned by Herbert J. Lahout of 64 Sunset Hill Road, Sugar Hill, NH 03586. Both lots are located in the Village Center (VC) Zone. The applicant's surveyor and engineer is Kellogg Surveying & Mapping, Inc.

B. 6:00 pm. Application for Site Plan Review for Demolition, an Expansion of Use and a Change in Use.

1. Application (SPR & SUB #2014-01)

Property: 31 Main Street (Tax Map 112, Lot 027) & 33 Main Street (Map 112, Lot 028)

Proposal: Presently Tax Map 112, Lot 027 is 0.07 acres and Tax Map 112, Lot 028 is 0.10 acres. Both lots are owned by Herbert J. Lahout of 64 Sunset Hill Road, Sugar Hill, NH 03586. Once the two lots are merged (see above) Applicant Herbert J. Lahout is proposing to demolish the former restaurant known as Bill and Bob's Famous Roast Beef (702 sq. ft.) located on Tax Map 112, Lot 27 (31 Main Street) and portions of the former office/retail Pinestead Quilt building (289 sq. ft.) located on Tax Map 112, Lot 28 (33 Main Street) and then put a 990 square foot addition onto the back of the Pinestead Quilt building for combined commercial uses as restaurant space, office space and retail space. The footprint of the building with the addition

will equivalent to the footprint of the two pre-existing buildings. Both lots are owned by Herbert J. Lahout of 64 Sunset Hill Road, Sugar Hill, NH 03586. Both lots are located in the Village Center (VC) Zone. The applicant's surveyor and engineer is Kellogg Surveying & Mapping, Inc.

2. **Address:** 31 and 33 Main Street
3. **Applicant:** Herbert J. Lahout
64 Sunset Hill Road
Sugar Hill, NH 03586
4. **Agent & Surveyor:**
Kellogg Surveying & Mapping, Inc.
254 Manns Hill Rd
Littleton, NH 03561
5. **Property Owner:**
Herbert J. Lahout
64 Sunset Hill Road
Sugar Hill, NH 03586
6. **Former owners:**
Robert & Kathleen Sherburne

At 6:22 pm Norman Belanger left and the white tape recorder died without a squeak or a whimper. A new tape recorder was put in place.

Presentation:

Lahout presented his applications for Voluntary Lot Merger and Site Plan Review to the Planning Board. Lahout wants to merge the two adjacent lots formerly owned by Sherburne. He wants to tear down approximately 900 square feet of space between the two buildings – the entire Bill and Bob's Famous Roast Beef building (702 square feet) as well as two dilapidated portions of the Pinestead Quilt building (216 square feet). Then, at some time in the future, depending on what tenants he can find, Lahout wants to add back that same amount of square footage he tears down, as an addition onto the back of the Pinestead Quilt building. Lahout asked for permission to change the former retail space in the Pinestead Quilt building and the former restaurant space in Bill and Bob's Famous Roast Beef building into office space/retail space and possibly restaurant space. Lahout does not have a tenant waiting to go into the space right now. He wants to keep his options open. Then, at some time in the future, depending on what tenants he can find, Lahout wants to add back that same amount of square footage he tears down, as an addition onto the back of the Pinestead Quilt building.

Parking:

Lahout said that the two merged lots could accommodate approximately seven to nine parking spaces on site and then another few parking spaces in front of the building on the street.

Robinson probed the parking situation. Robinson suggested Lahout might be able to get more parking by angling and moving the parking spaces around. If the proposal is for a retail use,

then Lahout only has between 8 and 10 parking spaces on-site. In Robinson's opinion, even if Lahout adds the 900 square feet he proposes onto the building, Lahout will have more than enough parking spaces for the proposed office and retail space according to the parking ordinance part of the Land Use Plan Ordinance. Robinson suggested that the Planning Board approve the merger and application for office and retail space right now with the addition for retail use property.

What square footage is needed for restaurant space?

Lahout's goal is complicated because he really does not know what he is going to do with the property. Lahout admitted that he had no clue what the eventual use of the property would be. He is trying to keep his options open. The problem is that as a restaurant Lahout does not have enough parking on site. Lahout wants Planning Board Site Plan Review approval for office, retail AND restaurant use.

With the additional square footage the maximum square footage of the building would be approximately 3,000 square feet. Romprey asked how many seats Lahout could get in a 3,000 square foot building. Lahout, in turn, asked Spanos – "the restaurant guy" – how many seats he could get in there.

According to Spanos, a restaurant needs 100 seats to make a go of it. Romprey noted that the Gypsy Café only has sixty (60) seats. Spanos explained that the Gypsy Café is a high end kind of boutique restaurant so to be successful it has to meet different criteria than a regular restaurant. Robinson and Burbank asked how many seats "Hamburger Heaven" has. (Hamburger Heaven is a/k/a Black Mountain Burger Company). The Planning Board members estimated that Black Mountain Burger has between 50-60 seats. [Black Mountain Burger has 55 seats.] Lahout asked how many seats the former Italian Moose restaurant had. Romprey estimated the former Italian Moose restaurant had thirty (30) to thirty-five (35) seats. Robinson asked about El Charro – the new Mexican restaurant. When that restaurant space was the Yankee it was 2,900 square feet. They think El Charro has 100 seats in it. Romprey asked if 100 seats would fit in the 3,000 square feet. No answer was given.

Parking:

Lahout asked the Planning Board "How did Subway ever get approved? I now own the Subway building. There is no parking there. Absolutely none!" Romprey replied that Subway had access to a shared parking lot at the Herbert Lahout Shopping Center.

Lahout asked about how the Planning Board approved the Thai Restaurant and Flapjacks which also have no on-site parking. The Thai Restaurant is a pretty recent approval that uses the municipal parking lot at the Lincoln Town Offices.

Burbank commented that Lahout's recent application for a drive-through at the Subway and then this application together highlight a problem with using municipal off-site parking to meet the on-site parking requirement as set forth in the Land Use Plan Ordinance. The Planning Board should think carefully about the long term consequences of using the same municipal

spaces over and over again to meet requirements for on-site parking for businesses along NH Route 112.

Burbank suggested that the Planning Board grant approval for retail space right now and that Lahout come in and reapply for a change of use if he gets a chance to rent to a restaurateur.

Lahout pointed out that when he was on the Lincoln Main Street Committee many years ago the committee looked at nearby businesses' to see what their operational hours were. Lahout presumes the business traffic for the restaurant interested in leasing space from him would be peaking between the hours of 5:00 pm and 9:00 pm when the other neighboring retail stores like the three Lahout stores will close at 5:30 pm. The two businesses would not be competing for parking spaces.

Romprey explained that the Planning Board approved a shared off-premises parking arrangement for the Gypsy Café to use nearby off-premise parking at the Medical Center which is closed during the Café's busy times. Lahout asked the Planning Board to take into consideration the hours of the nearby businesses and to consider applying it to street side parking as well. In his opinion, the other nearby businesses will be closed when this restaurant is going to be busy serving meals.

Romprey voiced his opinion that:

- 1. If this is a nighttime restaurant then Lahout's tenant should be able to use 8 or 9 parking spaces out on the street.
[There are two on street municipal parking spaces in front of the Pinestead Quilt Building and two on street municipal parking spaces in front of the O'Rourke's nursery. There are no on street municipal parking spaces in front of the Snowboard Shop.]*
- 2. Lahout should be able to count off premise parking from another business towards his total parking needs if that business is closed at night and provided he can work out an agreement with his neighbor to use the parking when the other business is closed.*
- 3. The town needs to consider putting in more municipal parking somewhere down in that area.*

Beaudin asked whether Lahout could guarantee that any restaurant tenant was going to be or going to remain a night-time restaurant. Burbank suggested that the Planning Board needs to know how intensive the use will be in order to determine what the required parking will be. The applicant has got to tell the Planning Board what the full extent of the intended use is, otherwise the Planning Board cannot make an informed decision.

Romprey acknowledged Burbank's concerns, but his biggest concern is that Lincoln has a lot of properties like this on NH Route 112 and if the businesses all have to have onsite parking they are "screwed to the wall". Burbank interjected that the business owners would only have to look for onsite parking if they changed or expanded their use. The town is "stuck" with current approvals, however, if a business owner sells his business property the new owner will have the same problem as Lahout has now if he wants to change or expand the prior use. If the new owner wants to expand or change the use they will have to tell the Planning Board where their

customers are going to park. Romprey explained that years ago the Planning Board made a decision to allow off-site parking for businesses along Main Street because they did not want all of the houses next to Main Street to disappear back two or three blocks which was starting to happen. It happened right across from the Town Offices. That is why the Planning Board at that time deliberately allowed off-premise shared parking.

Lahout asked what the Planning Board would do if they got some pushback from local residents who want to sell their buildings but did not understand why the new owners would have to make arrangements for offsite parking. Lahout did not know before he bought the two properties from the Sherburns that he would not be allowed to have offsite parking. Is the Planning Board going to post something in the paper to let everyone know that if they sell their property they are going to have to have onsite parking?

**LAND USE PLAN ORDINANCE
ARTICLE V
GENERAL REGULATIONS**

Section A. PARKING AND OFF-STREET LOADING. Adequate off-street parking facilities (municipal parking facilities excluded) for employees as well as customers and off-street loading facilities shall be provided whenever a new use is established or any existing use is enlarged in accordance with the following specifications:

1. All new construction of institutional, commercial or industrial uses requiring off-street loading facilities shall provide such facilities so that delivery vehicles are parked off the traveled way.
2. All proposed new construction shall provide for adequate off-street parking spaces in accordance with the following standards, subject to modification by the approval of a special exception pursuant to Article V, Section A,3. A single parking space is defined as being two hundred (200) square feet in area and having additional adequate area for maneuvering.

G. Restaurant – one (1) space for each four (4) seats.

Robinson opined that Lahout's overall plan is an improvement over what is there now. Robinson thinks that if Lahout twisted the proposed parking lots around he could get ten or eleven spots on the lot. For most commercial uses that number of parking lots is going to be acceptable, but if the tenant is going to be a busy restaurant the number of onsite parking lots would be inadequate. For example, if this was going to be a busy Dunkin Donuts, Robinson would have some serious problems with this few number of parking spots, especially if it is going to be open predominately during the daytime.

Lahout countered with his own example. Lahout has been doing business with the new owner who just bought Elvios Pizza. The new owner of Elvios Pizza was looking for another location in town. Lahout suggested that he buy the Pinestead Quilt lot. He said, "No way. It does not have enough parking for a high volume restaurant." In just two minutes he said that. So would anyone who was going to use the property for a restaurant and who "knows their stuff" say, "This ain't going to work?" Lahout was concerned that if the Planning Board requires onsite parking, the lack of onsite parking is going to preclude a restaurant use at this location.

Rompfrey stated that if this merged lot was a clear rectangle or close to it and Lahout could add another fifteen parking places to the lot the Planning Board might find it acceptable. The abutting neighbor owns the small snowboard business next door and has no parking whatsoever. The snowboard shop abutter uses the parking lot associated with the Pinestead Quilt building – the subject lot.

Beaudin asked Lahout about whether he had considered “going up”. Rompfrey explained that Lahout would have to level the building in order to consider going up. In its current condition and with its current structure, the building “is not conducive to a second floor”. Beaudin suggested that if Lahout went up he would have six more spots. Burbank pointed out that the parking is almost worth more than the building itself or could be. Spanos pointed out that no one wants to go to a restaurant on the second floor. The restaurant would have to be ADA compliant. They would need an elevator which is very costly to install and maintain.

Lahout thought it was “interesting” that both properties were used at one time as restaurants in the 1980’s. Lahout asked whether the Planning Board would consider his property’s former use as a restaurant in determining whether or not to grant Site Plan Review approval for a restaurant use at this location.

Robinson pointed out that in the mid-eighties the traffic in town was less all over. McDonald’s was there, but Dunkin Donuts and Rite Aid were not there to draw additional traffic. Lahout said there is more parking in town now than there was in the 1980s. Robinson responded that there is more traffic in Lincoln now than in the 1980s. Rompfrey pointed out that there was also more room for parking on the street back then. The newer three lane road took a lot of that parking space.

Rompfrey suggested that Lahout could ask the ZBA for a variance on the parking issue.

Robinson explained that Lahout was asking the Planning Board to approve not only an expansion of the building, but also a change in use from retail to retail/restaurant. What if the Planning Board approved an “evening restaurant” because they knew in the evening there is going to be plenty of parking? If Lahout’s tenant wanted to change that use from an evening restaurant to include a morning or daytime restaurant, would Lahout have to come back in so the Planning Board could re-discuss the parking issue?

Lahout asked Spanos his opinion about the impact of limiting the hours of a restaurant. Can a restaurant be successful if it is limited to an evening restaurant? Lahout does not think a ski equipment retailer could be successful if he can only sell skis from 3:00 pm to 5:00 pm. Would a restaurant owner reject a time-limited space? Spanos explained that the checks are small for a breakfast and lunch place so a restaurant has to make up for the small size of the checks in volume.

Rompfrey noted that Ron Comeau’s Flapjacks is full almost every morning it is open. Sometimes the town offices parking lot is full and the municipal parking lot down below (where the police department parks) is full.

Romprey suggested that Lahout request approval for a retail/office/commercial/restaurant and leave the breakdown ambiguous, because otherwise Lahout would have to come in to do a Site Plan Review again. This will give him some time to work out some plans with details and possibly make some arrangements with his neighbors. Then Lahout has the option of marketing the property both ways. Romprey informed Lahout that he would still have to come back for Site Plan Review for whatever goes in there. Beaudin asked if that meant the Planning Board would have to rehash the same thing all over again. Romprey responded that Lahout would have time to approach his abutters and see if he can get them to come to some kind of agreement with them about shared parking.

Spanos commented that a lot of Lahout's neighbors do not have sufficient parking themselves. For example, the Snowboard Shop does not have adequate parking. Burbank reiterated his point that the Snowboard Shop is already located there. Although the Snowboard Shop has inadequate parking, there is no current change of use there that would trigger compliance with the parking requirements in the Land Use Plan Ordinance. Romprey pointed out that it is only through Lahout's good graces that the Snowboard Shop owner has anywhere to put cars that come to his store. Without using Lahout's parking area he would have a problem. Customers can park on the street, but the street parking is not exclusive to his shop. Lahout pointed out that in front of the Snowboard Shop is where Route 112 narrows so he does not think there is any street parking in front of the Snowboard Shop. The road is supposed to be striped there. The Snowboard Shop owner might be able to make one parking spot in front of his store.

Robinson opined that the overall scope of this project improves the lot. Removing Bill and Bob's Famous Beef House and putting parking behind the Pinestead Building is a decided improvement. Robinson asked if 11 parking spaces were enough.

Robinson asked Lahout if Lahout planned to construct the addition, marked in yellow on his plan, before he has a tenant. Lahout responded that he did not want to knock something down until the Planning Board assured him that he could duplicate that removed space in the future. Robinson asked Lahout what he would do if some time in the near future he had a tenant who wanted to put in a restaurant and the Planning Board said he needed six more parking spaces. Would Lahout decide to just add onto the side of the building and not onto the back so he would have more room to put in more parking spaces in less space. Lahout agreed that he would look at that option, but he has already been told by "the restaurant people" that he does not have enough room. Hettinger suggested that Lahout could get more spaces if he could get some cooperation from his neighbor.

Romprey tried to figure out a different parking configuration that would work better. Lahout exclaimed that if the Planning Board could figure out a way to get more parking on his lot he would be grateful. Burbank cautioned the Board not to dictate to the applicant how to do his business. If Lahout willing adopts their suggestions that is fine, but he did not think the Board should formally change Lahout's mind on his plan.

Beaudin asked Lahout where the right of way was. Lahout said that the language on the deed said, "to the back of the lot". Lahout explained that the NH Route 112 access belongs to the neighbor and as the owner of the adjacent lot he has a right of way over it. Lahout described

how he intended for the cars to come into their spots, by driving into the shared right of way and then right into the parking slots.

Burbank pointed out that Lahout would be talking about two different building designs depending on whether his tenant was a retailer or a restaurant. If he does not add the 900 square feet then he can put in more parking for a restaurant. Romprey suggested that Lahout ask for his request for Site Plan Review Approval for retail/restaurant to be configured to be continued. Bont asked whether the Planning Board was intending to put a time limit on any conditional approval. Romprey responded that Lahout could always come in for an extension.

Motion to Accept the Application as Complete pending Lahout's providing the following within two weeks from today:

- 1. Plan views of all buildings, either existing, or proposed, with their use, size, location and floor elevations indicated.**
- 2. A typical elevation view of all existing and proposed buildings indicating their height and signing.**
- 3. The size and location of existing and proposed public and private utility connections, including provisions for fire protection.**

Motion: Robinson.

Second: Spanos.

Motion carried (4-0).

Bont informed the board that Site Plan Review approval is valid for two years. The Land Use Plan Ordinance says one year, but then this past year the legislature changed the effective life of the Site Plan Review Approval to two years. If there is conflict about whether the one year deadline in the town ordinance applies or whether the two year statute applies, the state statute prevails. Lahout has two years to decide which way he is going to go with that property.

Motion to Open the Public Hearing:

Motion: Spanos.

Second: Robinson.

Motion carried (4-0).

No public comment.

Motion to Close the Public Hearing:

Motion: Spanos.

Second: Robinson.

Motion carried (4-0).

Motion to approve the Voluntary Lot Merger and to approve the Application for Site Plan Review:

1. For Retail/Office Space as proposed; or
2. For Restaurant Space provided the building is reconfigured to accommodate sufficient parking.
3. In addition, the 991 square feet being demolished can be rebuilt as shown on the approved Site Plan.
4. If the building is reconfigured to accommodate the restaurant and the addition is less than 990 square feet, those square feet are grandfathered for the additional footage up to 991 square feet.

Motion: Robinson.

Second: Spanos.

Motion carried (4-0).

Romprey advised Lahout to speak with his neighbors and try to work out a satisfactory plan for sharing parking with them. He also advised Lahout to bring something for Bont to record that includes the information required on the checklist.

The Planning Board continued a general discussion about the parking issues. Romprey thinks that if the Planning Board saddles up people with adequate parking requirements they will buy up the two or three residential lots behind them and turn the two blocks behind Main Street. Romprey does not want that to happen. Romprey also does not want to tell businesses they cannot expand or sell their businesses.

Robinson reminded the Planning Board that businesses still need a place for customers to park their cars. Romprey thought that the town should look into leasing the property with the three billboards on it for municipal parking. Beaudin asked what would be the benefit to the townspeople to pay for land and upkeep municipal parking. Burbank concurred. According to Burbank, the reason towns force businesses to provide parking is so that the taxpayers are not forced to subsidize parking for these businesses. The problem in Lincoln is that the ball has already been rolled in that direction. In the view of the Planning staff, when the developer for RiverWalk or any other project comes in with its hundreds of rooms the developer should have parking for all of the necessary cars provided for in his plan.

Burbank stressed that although the Planning Board is able to use its discretion and judgment, it should keep in mind that the Planning Board needs to treat all applicants alike. The RiverWalk is a big developer and they are working on a big project. The Planning Board cannot just require RiverWalk to plan for parking and not any of these other businesses. You need to treat all applicants alike. If that is not possible, it creates a problem. For example, Ron Comeau's restaurant, Flapjacks, has no onsite parking. The town allowed him to open a business without adequate onsite parking; they allowed him to use municipal parking across the street to meet his parking needs. When Comeau goes to sell Flapjacks, and it is for sale, it could happen tomorrow. If the new owners want to make any change at all the Planning Board will have this issue before it. If we have a meeting here at town hall during the morning, we have six cars parked out on the street. This parking lot is full. The parking lot down below is full. The owner of Flapjacks might be screaming because he cannot get his clients to a parking space. It is not our problem. The municipal parking is first come, first served. Romprey argued that the

businesses approved have understood this from the beginning. Burbank stressed that the Planning Board will need to address offsite versus onsite parking in a more comprehensive way.

Beaudin asked if someone comes in tomorrow and buys Flapjacks and continues to operate it as a restaurant would they need to come before the Planning Board to continue to operate. Burbank assured him that because there would not be a change or expansion of use that the business would be able to continue. Beaudin then asked if the new owner decided to sell dinner and stay open until 9:00 pm would he have to come in for an expansion of use. Burbank explained that it would depend on the terms of the prior Planning Board approval. Bont explained that as an example, Alpine Adventures, had limits placed on their operation hours as part of their approval.

Rompney explained that with Ron Comeau's Flapjacks, Comeau offered to create that little garden which is a nice focal point on Main Street in lieu of providing onsite parking. The amount of parking he could get in there was negligible. The Planning Board Site Plan Review approval allowed Comeau to direct his customers to the municipal parking behind the restaurant near the Lincoln Fire Station as well as to the municipal parking lot across the street at the town offices.

Beaudin asked about the big building behind the restaurant that Comeau also owns. Rompney explained that Comeau bought the second building after he had already established the restaurant. He did not own it initially. If he had owned the building at the time the restaurant was approved, the Planning Board would have looked at the property to provide parking.

Burbank urged the Planning Board to start addressing this complex issue. Rompney urged the Board to find creative ways to start helping businesses. Robinson reminded the board that the Town owns space behind the Changing Closet. (Linwood Plaza). Beaudin reminded Robinson that there is going to be a skateboard park at that location. Robinson thought there was enough space to put parking in there too. Beaudin asked, "What is the incentive for the taxpayer to put that in? Who is going to pay for the town to plow and maintain that municipal parking lot way back there?" Rompney countered, "What is the incentive for these business people to come in and then buy the next two or three lots back to create onsite parking?"

Beaudin asked first, if the Planning Board was willing to get up in front of a town meeting and say that we need to provide municipal parking and, second, how many people are going to support you? How many more people are going to say it is going to cost more tax dollars to pave the parking lot, cut the brush, and maintain the lot?

Robinson argued that if the town adds municipal parking, the tax base of the town will increase when the developer finishes the project. So if the developer is contributing by paying those extra taxes if you have enough people willing to do that it will justify the cost of adding municipal parking. There will be no additional kids in school (i.e., additional costs) if we add a parking lot.

Romprey argued that the Town would be able to maintain municipal parking once it has the supporting infrastructure. He thinks that developers coming in will provide the parking for the town.

Burbank proffered that parking is going to eat up developable land. That is usually the developer's complaint. It makes the hair stand up on a developer's neck because it cuts down on the developable land. However, it is a line that the town has to draw because the town has to have a place for people to park their cars. The other options are to put parking underground or up in the air.

Romprey said that back in the 1980's Romprey bought up a ton a land to put in a mall with adequate parking and the abutters were outraged. He thought they were going to tar and feather him. The neighbors charged that he was "destroying the infrastructure of our town" and to a degree he was. He was proposing to build a high rise building and put a parking garage underneath. Romprey got so much flack over that proposal that he just backed off.

Burbank pointed out that the Mountain Club at Loon built up and then the parking was put underneath. Romprey thinks that developers will have to start doing that because land has become too valuable. Robinson agreed that although we do not see a lot of that happening on Main Street in downtown Lincoln, we do see it happening up on the mountain.

The Planning Board also discussed the possibility of a shuttle service. Robinson did not think a shuttle service would work in Lincoln for more than is currently being operated. "That mentality is they want their car. I went to get out of the restaurant when I want to and get into my car and drive away. I don't want to wait for the shuttle or stand there."

The Planning Board continued a general discussion about parking.

VII. 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.

No public input.

VIII. ADJOURNMENT

Motion to Adjourn.

Motion: Robinson.

Second: Spanos.

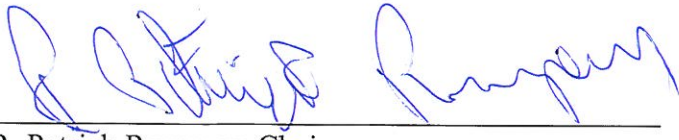
Motion carries unanimously by all members present (4-0)

The meeting was adjourned by at 7:38 pm.

Respectfully submitted,

Carole Bont, Planning and Zoning
Administrator

Dated: May 14, 2014



R. Patrick Romprey, Chairman

See Appendix A, B & C Attached.

Appendix A

How to Calculate the Seating Capacity of a Restaurant

by W D Adkins, Demand Media



Design restaurant dining areas with enough space to make patrons comfortable.

Thinkstock/Comstock/Getty Images

Related Articles

- Business Disadvantages in a Restaurant
- How to Determine Restaurant Seating Capacity
- How to Calculate Restaurant Cash Flow
- How to Calculate the Average Revenue for a Table Service Restaurant
- How to Draw a Seating Plan for a Restaurant
- How to Calculate the Interior Space for Restaurant Seatings

Planning the layout and seating capacity of a restaurant dining room involves more than just setting some tables and chairs out in a room. For safety reasons, you must comply with occupancy limits set by state or local fire codes. In addition, you want to make your restaurant's patrons comfortable. Overcrowding can make for an unpleasant dining experience and result in lost customers.

Step 1

Consult your local fire department or other government agency before calculating seating for a restaurant. The number of people you may seat in a dining room will be limited by code requirements. The determination of your maximum seating capacity depends on a number of factors, including the number and size of exits. You must also allow for specific regulations regarding aisle width and the number of square feet allotted per customer.

Step 2

Measure the dining room. To find the square footage for a rectangular area, multiply the length times the width. If there are adjoining areas or alcoves, measure them and calculate the square footage. Add the results of each measurement together to find the total area in square feet.

Related Reading: How to Calculate the Average Revenue for a Table Service Restaurant

Step 3

Allocate space for wait stations. Typically, a small wait station needs about 6 to 10 square feet, while a larger station may require 20 to 40 square feet. Do the same for other areas where customers will not be seated, such as a decorative fountain or customer waiting area. Subtract the square footage of these areas from the total area of the dining room to find the square footage available for customer seating.

Step 4

Measure the length of the bar, if there is one. Allow a strip of floor space along the bar $3\frac{1}{2}$ to 4 feet wide and multiply this figure by the length of the bar. Subtract this area from the square footage available for customer seating.

Step 5


Choose an appropriate amount of space to allocate per customer. For fine dining, you should allow 18 to 20 square feet per customer. Full-service restaurants typically have about one seat per 12 to 15 square feet, while fast-food operations reduce this figure to as little as 11 square feet. Divide the figure you select into the square footage from step 4. If you have available customer seating of 1,200 square feet, not including bar seating, you have $1,200/15$ for a full-service restaurant, which works out to 80 seats. If you choose a more compact layout, you can cut the space per customer to 12 square feet for a full-service restaurant. In this case, you end up with a capacity of 100.

Step 6

Allow 2 feet of bar length per barstool. If the bar is 24 feet long, you can fit 12 barstools in the bar area. Add the number of barstools to the seating from step 5 to calculate seating capacity for the restaurant.

Appendix B.

How to Calculate the Average Revenue for a Table Service Restaurant

by Cyndi Perkins. Demand Media 



Spending per seat is plugged into a straightforward multiplication formula.

Jupiterimages/Comstock/Getty Images

Related Articles

- How to Project New Restaurant Yearly Revenue
- Different Types of Pricing Strategy
- How to Create the Average Function to Calculate Average Projected Revenue in Excel
- How Are Tips Accounted for in Restaurant Revenue?
- How to Calculate Productivity in Sales Revenue
- Centralized Vs. Decentralized Organizational Structure

In a full-service restaurant, the number of tables and how many times they are occupied, or turned over, is used to figure average revenue. Both new and established restaurants use average revenue figures for feasibility studies, to attract investors, satisfy lenders and to plan for profitability in areas such as menu pricing and seating plans. The concrete measure of success is also used to develop effective promotions and launch targeted improvements that increase earnings.

Step 1

Total the number of guests served per shift per day using individual slips, cash register receipts or point-of-sale system printouts. If you are a new restaurant, estimate the number of covers based on comparable restaurants; figure no more than 75 percent peak occupancy for the first year of operations, suggests FoodServiceWarehouse.com.

Step 2

Use the table numbers listed on guest checks or the restaurant seating chart to determine the amount of times each table was occupied by new guests. Emphasize to staff the importance of properly recording table numbers to ensure an accurate count. New restaurants can estimate turnover based on comparable data.

Step 3

Divide the total sales amount for each shift by the number of customers served. New restaurants can estimate the average check amount based on mid-priced menu items; averages for lunch or breakfast will be lower because offerings are less expensive than dinner items.

Step 4

Chart the number of seats, times turned over and average check per shift on a simple daily spreadsheet.

Step 5

Multiply occupied seats by the number of turns by the average guest check amount to calculate average revenue per shift. For example, a 100-seat restaurant that turns seating four times at dinner with an average check of \$15 takes in revenues of \$6,000.

Step 6

Add the average revenue for each shift to reach your daily sales total. Tally seven days of daily sales to reach your weekly total. Multiply by four to determine your monthly total or by 52 for your annual average revenue.

Appendix C



LINCOLN LAND USE PLAN ORDINANCE

ARTICLE V
GENERAL REGULATIONS

Section A. PARKING AND OFF-STREET LOADING. Adequate off-street parking facilities (municipal parking facilities excluded) for employees as well as customers and off-street loading facilities shall be provided whenever a new use is established or any existing use is enlarged in accordance with the following specifications:

1. All new construction of institutional, commercial or industrial uses requiring off-street loading facilities shall provide such facilities so that delivery vehicles are parked off the traveled way.
2. All proposed new construction shall provide for adequate off-street parking spaces in accordance with the following standards, subject to modification by the approval of a special exception pursuant to Article V, Section A,3. A single parking space is defined as being two hundred (200) square feet in area and having additional adequate area for maneuvering.
 - A. Residential (including dwellings, timeshare units, quarter share units or other similar types of occupancy as determined by the Planning Board) – two (2) spaces for each residential unit.
 - B. Accessory Apartment – One (1) space
 - C. Hotel, Motel, Tourist Accommodation, Lodging Unit – one (1) space for each unit.
 - D. Timeshare units – 1.25 spaces per unit
 - E. Commercial – one (1) space for each three hundred (300) square feet of public area.\

- F. Industrial – one (1) space for each two (2) full-time-equivalent employees on the premises at one time plus a factor of five (5) percent of that requirement to accommodate visitors, etc.
 - G. Restaurant – one (1) space for each four (4) seats.
 - H. Public Assembly – any theater, hall or auditorium, provisions for at least one (1) space for each six (6) seats.
 - I. Where one (1) building is used for lodging or motel accommodation with a restaurant – one (1) space for each rental unit, plus one (1) space for each four (4) seats.
 - J. Where the development will provide for mixed uses, including residential units, the Planning Board may wave the two parking space requirement per residential unit and only require one additional space per residential unit, if the Planning Board finds that the off street parking proposed is adequate for the intended use and substantially meets the purposes of this ordinance.
 - K. Auto Service Stations – 3 spaces per repair bay for customer's cars plus 1 space per bay for employees. These spaces must be provided on site.
3. The standards set forth in Article V, Section A,2 may be modified pursuant to a special exception granted by the Zoning Board of Adjustment in accordance with the following:
- A. The applicant's request for special exception shall depict both the parking configuration which would be proposed if the special exception request is not approved and the parking configuration, which is proposed if the special exception request is approved.
 - B. The special exception request shall include a written report from the Lincoln Police Department if parking proposed for an off-site location, which involves a pedestrian (i.e., includes employees) crossing of a public or private highway. A written report from the NH Department of Transportation (District One) is also required if the crossing involves a State Highway.
 - C. The applicant shall first discuss the special exception request with the Planning Board and must obtain a written statement from the Planning Board demonstrating that the Planning Board does not object to the special exception request.
 - D. The Zoning Board of Adjustment shall act upon the special exception request applying the criteria set forth in Article VIII, Section A, 2 and may consider such additional factors as the Zoning Board deems necessary and appropriate for public safety and proper design.
 - E. Any special exception approved under this paragraph shall expire without further action by the Town unless a site plan for development of the site, incorporating the parking scheme as approved in the special exception, is approved within 180 days after the date on which the Zoning Board of Adjustment approves the special exception.