

**PLANNING BOARD MEETING MINUTES-DRAFT**  
**PLANNING BOARD 1<sup>ST</sup> MONTHLY MEETING**  
**& PUBLIC HEARING**

Wednesday, February 28, 2024 – 6:00 PM

Planning Board Public Meeting

\*Lincoln Town Hall, 148 Main Street, Lincoln NH

\*Hybrid meeting available both in person & via Zoom Meeting Platform to allow for Town wide participation. A quorum of Planning Board members must be physically present at the meeting. Although there is space in the large conference room for 8-12 guests in addition to the Board members, the public is welcome to participate remotely using ZOOM. Planning Board Meetings can be attended in-person at the Town Hall Building. Recordings of all Planning Board meetings can be found at [www.youtube.com](http://www.youtube.com) (Lincoln NH Planning Board Meeting 02-14-2024). Zoom access is for your convenience; use at your own risk. If any technical difficulties or if ZOOM should go down, the meeting will NOT be rescheduled.

**Join Zoom Meeting**

<https://us02web.zoom.us/j/81700766161?pwd=WUFKR2NlZk9xSzI1bVFPRWVzby14UT09>

**Meeting ID: 817 0076 6161**

**Passcode: 179696**

Find your local number: <https://us02web.zoom.us/j/81700766161?pwd=WUFKR2NlZk9xSzI1bVFPRWVzby14UT09>

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

**Attendees**

**Present:** Chairman James Spanos, Vice Chairman Joseph Chenard, Selectmen's Representative OJ Robinson, Member Steve Noseworthy (who stepped down for Ludwig matter), Member Paul Beaudin and Alternate Member Danielle Black.

**Excused:** Alternate Member Mark Ehrman

**Staff Present:** Fire Chief Ronald (Ron) Beard and Code Enforcement Officer

**Staff excused:** Planner Carole Bont (inclement weather)

**Guests:**

- **Gary Casinghino**, (resident) (ABUTTER), of 9 Valley View Lane, Lincoln, NH 03251, and co-owner with Denise Raiche-Casinghino of 9 Valley View Lane (Map 114, Lot 043).
- **Susanne (Susan) A. Chenard**, (resident) of 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). Alternate member of the Zoning Board of Adjustment (via Zoom).
- **Michael Fossa** (resident), of 36 Lodge Road C307, PO Box 1388, Lincoln, NH 03251-1388, and manager of Alpine Adventures, 41 (or 45) Main Street, Lincoln, NH 03251-4320 owned by Mark Bogosian d/b/a New Hampshire Alpine Adventures, LLC, 850 Main Street, Falmouth, MA 02540.
- **"I-Phone 3"** - is an unidentified participant #1 who named their computer handle, "I-Phone 3" (via Zoom).
- **Jayne Sue Ludwig** (resident) (APPLICANT), 12 Pleasant Street, Lincoln, NH 03251, Mail: Jayne Sue Ludwig, PO Box 103, North Woodstock, NH 03262 and property owner of 12 Pleasant Street (Map 113, Lot 092).

- **Steven Noseworthy** (resident) (APPLICANT), 12 Pleasant Street, Lincoln, NH 03251, Mail: c/o Jayne Sue Ludwig, PO Box 103, North Woodstock, NH 03262.
- **Frank Pasciuto**, (resident) of 16 Valley View Lane, PO Box 192, Lincoln, NH 03251-0192 and co-owner with Virginia Marie Pasciuto, of 16 Valley View Lane, (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) of 16 Valley View Lane, PO Box 192, Lincoln, NH 03251-0192 and co-owner with Frank Pasciuto of 16 Valley View Lane (Map 114, Lot 046) and co-owner with Frank Pasciuto of 10 Green Ridge Road #2 (Map 113, Lot 067000-02-00004).

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

- **January 10, 2024 (Wednesday)**

- Chairman James Spanos, Vice Chairman Joe Chenard, Selectmen’s Representative OJ Robinson, Member Stephen Noseworthy, Alternate Danielle Black.
  - Chair Spanos asks the PB if there are any changes or comments on the minutes.
    - Member Beaudin comments they are awfully long
    - Chair Spanos has 2 questions. Line 252 Sarah Umberger said she would convert her Airbnb if someone could match the \$450,000 she is presently getting for the rental. He believes that is a typo. Alternate Black believes it was \$50,000 Secondly, line 320, Blaise Duguay says you take away the opportunity to own a second home and those who make less than \$200,000/year not \$50. Alternate Member Black thought she heard \$50. Chair Spanos decides to leave it as is.

**Motion to approve with 1 correction on line 252 by Member Beaudin.**

**Seconded by BOS Robinson. All in favor.**

- **January 31, 2024 (Wednesday)**

- Chairman James Spanos, Vice Chairman Joe Chenard, Selectmen’s Representative OJ Robinson, Member Stephen Noseworthy, Alternate Danielle Black.
  - Member Beaudin advised he only got the minutes now and not online and is just reading them now. Chair Spanos agrees, they were just put on the table for them tonight.

**Motion to skip over these minutes until the next meeting made by Member Beaudin.**

**Seconded by BOS Robinson. All in favor.**

- **February 14, 2024 (Wednesday)**

- Chairman James Spanos, Vice Chairman Joe Chenard, Selectmen’s Representative OJ Robinson, Member Stephen Noseworthy, Member Paul Beaudin, Alternate Danielle Black.
  - Minutes not available at this meeting

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**III. 6:00 PM CONTINUING AND OTHER BUSINESS (Staff and Planning Board Member/Alternates).**

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**A. Review Pemi Base Camp DRAFT Letter**

**SPR 2022-20 M121 L050**

**South Peak LLC (Mark Bogosian d/b/a) &**

**Loon Mountain Recreation Corporation (Brian Norton, President and General Manager)**

Did Loon Mountain Recreation Corporation (LMRC) ever receive Site Plan Review approval for the Pemi Base Camp Ski Warming Hut in South Peak (75 Crooked Mountain Road – Map 121, Lot 050) from the Planning Board? Does the Pemi Base Camp require Site Plan Review approval after reviewing the history of the Pemi Base Camp? Review files and response from Attorney for LMRC President & General Manager Brian Norton. Review Draft letter to President and General Manager of LMRC.

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**Discussion:**

1. Member Beaudin asks whose responsibility this is and who should the letter be addressed to?
  1. Currently the letter is addressed to Loon Mountain Recreation Corporation and CEO Brian Norton. Whomever owns the property vs who owns the building on the property. Is it the landlord's responsibility? Alternate Member Black feels it should be the owner of the property, Bogosian. Chair Spanos agrees the letter should go to the property owner.
2. Member Beaudin comments that it was approved as a temporary structure originally. Member Beaudin cites the Town zoning ordinance for the difference between a temporary structure and a permanent structure which states any structure in use for more than 180 days in a consecutive 12-month period is permanent. Member Beaudin continues giving examples regarding other properties in Town such as the Whales Tale and the Tiki Hut they added which needed a Site Plan Review.
3. Member Beaudin recommends an addition to the letter. The letter should include consideration of the after-hours live band operation that if they are adding to the wastewater, that would be considered new construction. In this case it would be adding to the bar, requiring a Site Plan Review. He also states that the PB voted to have Loon and Mr. Bogosian come in for Site Plan Review and they have not yet.
4. Vice Chair Chenard suggests that when they do come in that the landlord should require the tenant to come in too.
5. Chair Spanos says the temporary structure comments could just be added to the 3<sup>rd</sup> paragraph of the letter. Member Beaudin recommends that the letter should include the water tap assessment fees.
6. Chair Spanos suggests April 24<sup>th</sup> or April 10<sup>th</sup> meeting to have the Site Plan Review.
7. Member Beaudin suggests the letter be sent to the landowner and "cc'd" to other interested parties. They will get clarification on who is the landowner. BOS Robinson says the letter should be addressed to whomever is on the tax card.
8. Chair Spanos revisits the comment regarding adding to the 3<sup>rd</sup> paragraph. It should say "it appears from a thorough review of the minutes and files that the Pemi Base Camp or temporary warming hut was only given a land use permit for a temporary structure but never given Site Plan Review approval at the PB meeting." BOS Robinson suggests it be elaborated on and should state that it "was for a temporary structure, but it meets all the criteria of a permanent structure." BOS Robinson also suggests the following be added "changes to the building made since the original building permit in 2007 meet the definition of new construction per the 1986 definition in the wastewater treatment

system connection fee ordinance.”

9. BOS Robinson comments that the 1986 wastewater ordinance was updated in 2023 and would that affect this. The decision is made to strike that part in the letter and BOS Robinson will review the 2023 update.

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**B. UPDATE RE: DRAINAGE PROBLEM BETWEEN RAYMOND BERGLUND, 11 SCHOOL STREET (MAP 113, LOT 098) AND JAYNE LUDWIG, 12 PLEASANT STREET (MAP 113, LOT 092) AND PLANS FOR SOLUTION FROM PLANNING BOARD MEETINGS OF JUNE 8, 2022, AND AUGUST 10, 2022.**

On June 8, 2022, and then August 10, 2022, Raymond (Ray) Berglund, owner of 11 School Street, (Map 113, Lot 098) updated the Planning Board on the drainage issues between his property and the property of Jayne Ludwig at 12 Pleasant Street (Map 113, Lot 092).

Berglund planned to put a fence between 12 Pleasant Street and 11 School Street. His plan entailed creating a retaining wall in the rear of the 11 School Street property with an above ground drainage run off system to force water down to a dry well. He was going to add French drains as well. He was going to install fencing after the drainage problems are fixed and the fence would be seven (7) inches onto the property of 11 School Street which will still allow both properties to access their garages. He was to email the plans to Planner Bont. Mr. Berglund asked to have this matter put on the agenda for September 2022.

On October 26, 2022, at the last Planning Board meeting Jayne Ludwig asked the Planning Board to request a status update as nothing has been done to date. The parties attended the Planning Board on November 9, 2022, but the Board did not have a quorum. The parties were asked to come to the next meeting on November 22, 2022. On November 22, 2022, Mr. Berglund was unable to attend the meeting. The Planning Board agreed to notify both parties and let them know that the Planning Board will not take up this matter until they are both present for the meeting.

On Wednesday, January 24, 2024, Mr. Berglund was unable to attend the meeting due to illness. The Planning Board continued the matter to February 28, 2024.

On Thursday, January 25, 2024, Mr. Berglund indicated by email that this project is “first on the list” the moment they can do the work when the ground thaws. The project is “paid for” and “on the schedule”. Email was forwarded to the Planning Board members, Ms. Ludwig and Mr. Noseworthy.

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**Discussion:**

1. PB attempts to confirm if Mr. Berglund is present. The only unidentified guest is “iPhone 13.” No response from iPhone 13.
2. Member Noseworthy recuses himself and Alternate Member Black will be seated in his place.
3. Ms. Ludwig passes out photos to the PB.
4. Ms. Ludwig adds that Mr. Berglund has recently placed bales of hay to absorb some of the water in late Fall.
5. Ms. Ludwig and Mr. Noseworthy describe the issues their home is having with all the water, including that their kitchen is sinking.
6. Chair Spanos asks about the first photo and that it says “surveyor” on it. Ms. Ludwig states she put that on there. She did not have a surveyor but was going to ask Mr. Berglund if he would allow her to have his property surveyed.
7. Chair Spanos asks if Mr. Berglund has kept in communication. Ms. Ludwig says he has not. She has

over 50 emails to him over the past 2-3 years that are friendly, and he says he is a good neighbor.

8. Alternate Member Black asks if an estimate for repairs has been done. They say it has not.
9. Chair Spanos said that at the last meeting he did send an estimate and the repair work would be started this spring. Member Beaudin cites the memo from Planner Bont of January 19<sup>th</sup> regarding Mr. Berglund having hired someone, he has an invoice, a plan and that he has made a payment and scheduling for the spring. But there has been no proof with a copy of a check. They've only seen an invoice. Member Beaudin wants to see a signed contract or a deposited check and to narrow the schedule down. Chair Spanos agrees all 3 should be done.
10. Member Beaudin asks if Mr. Korber should review the plans Mr. Berglund has shown the board to ensure this will help the issue.
11. Chair Spanos advises Mr. Berglund will have to pay his fee. Alternate Member Black asks about property damage to Mr. Noseworthy and Ms. Ludwig's property. Chair Spanos said the PB cannot award damages. They would have to start a civil case.
12. Ms. Ludwig reports having seen the architectural plans, and they look to be all concrete. Alternate Member Black asks to see the plans. Ms. Ludwig shows her.
13. Lots of mumbling and several people talking at once (52:40). BOS Robinson advises members of the audience to speak up if they want their discussion recorded in the minutes.
14. Chair Spanos asks if they have any more to say. They advised the do not.
15. Chair Spanos confirms what will take place next
  - a. Mr. Berglund is to show a signed copy of the contract
  - b. Mr. Berglund will provide a copy of the deposit check, if any
  - c. Definitive start and end dates
  - d. A cursory review by Town engineer, Ray Korber
  - e. Mr. Berglund must also pay Town Engineer Ray Korber fees if a significant amount of his time is involved.
16. Chair Spanos asks for the above and then continue it to another meeting. April 10<sup>th</sup>. Motion made by Member Beaudin. BOS Robinson seconded. All in favor.

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**C. Review of Planning Board's Position on One Proposed Amendments to Zoning Ordinance (Land Use Plan Ordinance [LUPO]) including:**

- a. **Add Definition of "Useable Space" to Definition Section of LUPO & to Site Plan Review Regulations and to Subdivision Regulations.**
- b. **Bring "Adequate Useable Space" Criteria to the front of the LUPO where it can be found.**

**Article 04 Explanation:**

The Planning Board proposed duplicating the definition of "Useable Space" found in the rear of the LUPO under ARTICLE VIII BOARD OF ADJUSTMENT, Section A. *BOARD OF ADJUSTMENT* (related to appeals for a Special Exception) and adding it to the front Section of LUPO where most of the other definitions are located. The Planning Board also recommends duplicating the rest of the text describing the criteria for a "Site Shall Be Suitable for Proposed Use, Structure or Development" and putting that text in the front of the LUPO ARTICLE VI, DISTRICT AND DISTRICT REGULATIONS, Section B. *DISTRICT REGULATIONS*. Paragraph 4. Lot and

Lot Coverage Requirements so people can find it.

After Town Meeting, the Planning Board will take appropriate steps to include it in Site Plan Review Regulations and Subdivision Regulations where it will be easier to find and access as recommended by the Town Attorney. There is no change in what is required. The standards will be easier to find and access.

*[Note: The definition and standards for "Adequate Useable Space" are already in Article VIII Board of Adjustment, Section A. BOARD OF ADJUSTMENT related to appeals for a Special Exceptions. This move makes the standards easier to find within the 100+ page document.]*  
*(Recommended by Town Attorney).*

**Article 04: Planning – Duplicate Portions of Useable Space & Suitable Site**

**Are you in favor of the adoption of Amendment No. 04 as proposed by the Planning Board for the Town Zoning Ordinance known as the "Land Use Plan Ordinance" (LUPO) to:**

1. Duplicate the definition of "Useable Space" as set forth in LUPO ARTICLE VIII BOARD OF ADJUSTMENT, Section A. *BOARD OF ADJUSTMENT* related to appeals for a Special Exception and add it to the definition section of the LUPO ARTICLE IV DEFINITIONS.
2. Duplicate the text for "Site Shall Be Suitable for Proposed Use, Structure or Development" as set forth in ARTICLE VIII BOARD OF ADJUSTMENT Section A. *BOARD OF ADJUSTMENT* related to appeals for a Special Exception and add it to ARTICLE VI, DISTRICT AND DISTRICT REGULATIONS, Section B. *DISTRICT REGULATIONS*. Paragraph 4. Lot and Lot Coverage Requirements and Standards.

(Recommended by the Planning Board)

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**Discussion**

1. Chair Spanos asks the PB if they would like to make any changes or keep it as is and see if it passes.
2. Member Beaudin brings up the Mansion Hill Development. Chair Spanos asks that no specific applications be brought up. Regarding legal counsel for other developments, Member Beaudin feels, since it's already on the ballot for the March meeting, the PB should stand outside the meeting and tell people to vote no on #4. Due to the PB needing more time to revisit it. Chair Spanos states that the original intent was for flood plains, etc., but didn't give any consideration for steep slopes. Member Beaudin would like to see a map of how much of Lincoln's property is 15% or greater. If the PB says no to this, it could affect a lot of developments. Alternate Member Black comments that this always seemed to be an ordinance that was looked over.
3. Member Beaudin comments that regarding singular approved developments might be grandfathered in but those that are plan phase development, it could be an issue. He feels they should take to an attorney first.
4. BOS Robinson feels there would also be a better way to enact it. There is already a lot built on 15% land. If that wasn't allowed there would be nothing built except on Main St. And Pollard Road. Alternate Member Black thinks they need to consider the community that lives below that. BOS Robinson and Chair Spanos both say you can't talk about specific locations. Discussion was had about South Peak, Campers World, Clark's, Indian Head and the remainder of Forest Ridge. BOS Robinson suggests that if you are going to build on 15% to 25% you would need "x,y,z" such as larger footage lot. Member Beaudin says the issues with enlarging lots is you then disturb more of the environment and then have issues with storm water, etc.

## Public Comment

Chair Spanos recommends this be opened to public comment. Member Beaudin motions.

Vice Chair Chenard seconds. All in favor.

### 1. Gary Casinghino-

- a. Mr. Casinghino notes that tonight's agenda cites this item. **There is no change in what is required. The standards will be easier to find and access.** Mr. Casinghino states the impression given is that it is duplicating the definition from the section of the Zoning Board into the definitions of the LUPO and doesn't create a substantive change, just making it easier to find. He states that it appears it was Town council that recommends this duplication. Member Beaudin asks where he found the statement about Town council. Mr. Casinghino locates that on page 5 of the agenda.
- b. Mr. Casinghino brings up from a past public hearing that Mr. Korber indicated that the requirement had always been there, just not enforced.
- c. Mr. Casinghino brings up the ordinance regarding Wetlands not being usable space and that it is not in the definition section, it is only in the board of adjustment section. Same section as tonight's discussion. Section 5, subdivision regulations. Article 8, section A of LUPO, under the board of adjustment where the definition of usable space appears. And it excludes wetlands in sub paragraph 3.

### 10. Frank Pasciuto-

- a. Mr. Pasciuto reiterates that the requirements are already there and the PB needs to do the work to define steep slope and its impact. He feels they shouldn't look at it as a negative. It doesn't stop development it could potentially decrease it.
- b. Mr. Pasciuto states, steep slopes have unique traits that can wreak havoc on things like storm water management and erosion. He states this helps the PB limit what developments don't make sense here. And it gives the board its discretion for suitability.
- c. This is the first-time large subdivisions have had to be looked at and so far, the PB has only had to deal with individual lots.
- d. Towns don't typically have the resources to monitor what developments are going to look like. Building steep slopes has a lot of engineering issues with it. He feels the Town doesn't have the resources to ensure it's being built appropriately to meet the criteria, and the Town must live with that afterwards.
- e. Member Beaudin asks Mr. Pasciuto how he would differentiate between steep slopes for different projects. Mr. Pasciuto responds by asking when you take into consideration a subdivision and consider the wetlands the methodology for steep slopes needs to be considered in the same way. Member Beaudin discusses how this will affect the tax base and how this pays for a lot of the infrastructure. Although money shouldn't be the only reason to consider it. He feels they aren't there yet, and they need to think about what to do. Mr. Casinghino states they are already there and the PB needs to hurry up and figure out what to do. Member Beaudin disagrees as they haven't said no to any 15%. Mr. Casinghino stated it's because they have had to consider such large subdivisions before. Member Beaudin disagrees and says they have done it a lot. Vice Chair Chenard uses the examples of Clearbrook 1 and 2. Mr. Casinghino used the example of Valley View and that has now become a problem.
- f. Most of the PB and Mr. Casinghino begin to all talk at once, unable to decipher what is being said (1:27:00) but something about flooding in homes on 0%. Mr. Casinghino asks if his position is

being supported or dismissed. Vice Chair Chenard mentions the “house at the bottom” [of Mansion Hill Drive] has been a problem for 50 years.

- g. Mr. Casinghino states that neither wetlands nor steep slopes got any attention until there was a problem. And feels this provision is not a bad idea. He encourages the PB to not dismiss the fact that the public voted for it, and they shouldn’t continue to ignore it.

**Motion to close public comment made by Member Beaudin.**

**Seconded by Vice Chair Chenard. All in favor.**

**Discussion**

- 1. Chair Spanos asks how they should proceed. Vice Chair Chenard suggests they make a motion to have the PB withdraw support for article 4 and to have them give out information at the Town Meeting. BOS Robinson recommends the motion state that the PB does not recommend this article. Chair Spanos asks if it should say they withdraw their recommendation. BOS Robinson says it should say they change their position to not recommend and to relay that message to voters at the Town Meeting. Seconded by Member Beaudin. BOS Robinson suggests the PB needs a plan to follow this through. Discussion continues with how it could be changed in the next year before 2025 Town meeting.

**No Motion was made or seconded. No vote taken.**

- 2. A public guest asks to speak. Chair Spanos tells him to go ahead. Unidentified male voice states it’s already there, the PB just hasn’t acted on it. He feels there is more urgency to this than waiting until next year. He feels that every time they approve a plan without considering the steep slope, but once it appears implicit, they will enforce it, that the PB should have a good reason. He reiterates that the PB has many tools to assist them when it gets complicated, and they don’t have to just “take it.” They have 3<sup>rd</sup> party review to point out the problems.
- 3. Alternate Member Black comments she doesn’t believe there hasn’t been another situation where a subdivision proposed has such an impact. Same unidentified male states “The Landing [at Loon]” has had the issue. BOS Robinson asks what the regulations were when “The Landing” was approved. Many places passed review as the stormwater management didn’t exist then. Male feels the PB is misunderstanding his point that there may have not been an issue then but there is now, and they must deal with it.

**Chair Spanos reads Vice Chair Chenard's motion again: The PB to not recommend Article 4 as presented and relays that message to voters at the Town Meeting.**

**Member Beaudin seconded. All in favor.**

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**IV. NEW BUSINESS**

**A. Purchase of Camper’s World Property**

- 1. Member Beaudin asks the PB to take a vote and let the taxpayers know about how they feel about the Camper’s World purchase. Chair Spanos advises it is a non-binding vote. Member Beaudin acknowledges that. Chair Spanos advises he doesn’t have an issue with that. Chair Spanos polls the PB. Question asked if they are in favor of the purchase.
  - a. Member Beaudin - no
  - b. Member Noseworthy - no
  - c. BOS Robinson-(couldn’t hear) 1:48:46
  - d. Chair Spanos- (couldn’t hear)



- e. Vice Chair Chenard - states he is on the fence rail but then says no.
- f. Alternate Member Black -
- 2. BOS Robinson states there have been some new developments regarding this issue, and it may likely change some minds or at least make people think. He doesn't plan on discussing this with the PB before he gets an opportunity to discuss it with BOS.
- 3. BOS Robinson questions if the PB's vote is being made with the impact on the budget and taxes in mind versus planning issues such as land use and master plan.
  - a. Member Beaudin feels it is not a good idea.
  - b. Chair Spanos says "yes", his no vote was due to the impact on budget and taxes.
  - c. Alternate Member Black says yes, she is in favor of purchasing Campers' World.

**Motion made that the PB not support the purchase of Camper's World by Member Beaudin.**

**Seconded by Member Noseworthy.**

**In favor, Members Beaudin and Noseworthy, Chair Spanos and Vice Chair Chenard.**

**Opposed are BOS Robinson and Alternate Black. Chair Spanos acknowledges and makes note of their opposition.**

**In sum, Chair Spanos states that the PB voted 4 to 1 to not support the purchase of Camper's World. (Alternate Black's vote is not counted as there is a full board.)**

#### **Public Participation**

Chair Spanos asks if there is any public participation. There is not.

### **B. NONPUBLIC SESSION**

**Recess prior to a non-public session at 1:54:19**

**Motion made for a non-public session made by Member Beaudin, Vice Chair Chenard seconds, all in favor. Camera turned off. (1:57:15) (7:57:15 PM.)**

*Non-public session under RSA 91-A:3 II (I), Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.*

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#### **VI. 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.

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**VII. ADJOURNMENT.**

\_\_\_\_\_ makes Motion to Adjourn.

\_\_\_\_\_ seconds. All in favor.

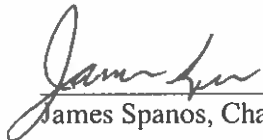
Adjourns at \_\_\_\_\_ AM.

Respectfully submitted,

*Kara Baker*

Recording Secretary

Date Approved: April 10, 2024

  
James Spanos, Chair

February 23, 2024

Dear members of the Lincoln Planning Board

I wanted to take time to express to you my concerns for the recent discussion of the Mansion Hill Subdivision.

Firstly, I'd like to say that the opinion and the suggestions made by The Developers Attorney Derek Lick, is for the benefit of the developers for whom he is being paid, and not the TOL, Nor the abutting properties and when taking advice from such a position, the PB should seek advice from the TOL Attorney. The PB should only take advice from the Towns attorney.

The matter of storm water mitigation is a very large concern and should be taken seriously. In my time working the steep and diverse property in Coolidge Falls HOA over the past 20+ years, reviewing & altering/correcting prints and seeing the construction through its process, it always looks better on paper than what we are left with after the machines leave site. The course of water run off always follows the path of least resistance above as well as below ground, and it changes every year. Storm water mitigation tends to the water above the ground, not below. The hilltop on Mansion Hill is extremely wet and once the aquifer is disturbed by the installation of underground utilities, blasting ledge and hardpack, there is no telling what the water will do when the veins are opened.

Fortunately for Coolidge Falls, where we hold full-time year-round employees that monitor the property and have the ability to make repairs and corrections ourselves quickly before small matters become a large problem, these new developments do not. These new developments are managed by the HOA board members and subbed out maintenance workers that are there to complete one job and leave. Most now use management companies that have less vested in monitoring these properties carefully and picking up on slight changes before they become larger issues.

Who will monitor future tree cutting and installation of lawns? Tree cutting for a vista to see more of the ski area? Who will monitor the drainages as they fill in with leaf debris, sticks and erosion? Second homeowners are not as vested in the community and area surrounding their homes. I see it here in the property that I manage.

One comment that left a bad feeling in my heart, was when the presenting party stated that water in the homes below this development, was the problem of the homeowners with no consideration to how those new developments might have either caused or exacerbated those water problems.

The question on an Environments Impact Study was brushed off by the PB when it was brought up by me, as well as a member of the community. How embarrassing... and environmental impact study should be completed.

I also question why the PB did not inquire for an easement to access the trail system throughout this subdivision as it had with the recent discussion with the purchaser of the Forest Ridge Property?

The subdivision as proposed is trying to squeeze 7 cents from a nickel. It is too Dense.

Lastly, the maximum grade or steep slope of 15% needs to be moved to the front of the Land Use Plan Ordinance in our documentation to be enforced or modified.

The statement "we've done it all these years, why change now" sets a bad precedent and to me, makes the PB less attentive. If we are not going to use the current Ordinances as written, then it should be modified. It is as bad as the common phrase used "the horse is already out of the Barn". Horses are easily caught, and fences easily mended.

I am not by any means opposed to change, nor do I mind progress. However, as an invited Seated Alternate for the past 8 months I've noted old tactics, antiquated methods and a lot of opinions being used in lieu of facts. And a lot of the ordinances being swayed from.

I am honored to sit among you and admire all of the time you have spent doing this thankless job, your diligence and the knowledge backs that you all hold for the history of the Town of Lincoln.

I am still learning a great deal here as an alternate member and have appreciated the opportunity to work with you.

We are indeed an ever -hanging community and I look forward to working with you to better this town, not to diminish its "community" reputation.

Sincerely

Danielle Black