



PLANNING & ZONING

DEPARTMENT

PLANNING BOARD AGENDA

PLANNING BOARD 1ST MONTHLY MEETING & PUBLIC HEARING

Wednesday, March 13, 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 (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=WUFKR2N1Zk9xSzI1bVFPRWVzbyt4UT09

Meeting ID: 817 0076 6161

Passcode: 179696

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

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

(See also town website www.lincolnnh.org 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.

II. CONSIDERATION of meeting minutes from:

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.

February 28, 2024 (Wednesday)

- Chairman James Spanos, Vice Chairman Joe Chenard, Selectmen’s Representative OJ Robinson, Member Stephen Noseworthy, Member Paul Beaudin, Alternate Danielle Black.

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

A. TWO (2) MAJOR SUBDIVISIONS (RELATED):

- SUB 2023-08 M114 L049.3 Ethan Conley agent for Kyle McManus d/b/a Coolidge Ridge, LLC – Major Subdivision dividing One Lot into 10 Lots: 4 lots for duplexes & 6 lots for Single Family Residences (SFR).
- SUB 2023-09 M114 L049 Ethan Conley agent for Sean G. Conley d/b/a C2 Equity Partners, LLC d/b/a Lincoln Valley Development, LLC – Major Subdivision dividing One Lot into 18 lots: 17 lots for 17 Single Family Residences (SFR) and 1 lot for 1 Duplex.

Two (2) Applications for Major Subdivisions were submitted. First part of hearing was held on Wednesday, January 10, 2024 at 6:00 PM. Hearing was continued to Wednesday February 14, 2024 at 6:00 PM, with additional notification to owners of additional “affected lots”. Continued hearing was held on Wednesday February 14, 2024 at 6:00 PM, with hearing continued to March 13, 2024 at 6:00 PM. Some revisions to the plan were made – see changes marked in “red” on the agenda.

1. **Application#1** for Major Subdivision of vacant land at the top of Mansion Hill & at termination of Mansion Hill Drive & Valley View Lane, dividing one lot into 10 lots: 4 lots for Duplexes & 6 lots for Single Family Residences (SFR).

Applicant/Property Owner: Kyle R. McManus d/b/a
d/b/a Coolidge Ridge, LLC
c/o Total Construction Solutions Co.
2 Mockingbird Lane
Kingston, NH 03848.

Applicant/Property Owner’s Agent: Ethan Conley
16 Kayla Avenue
Salem, NH 03079

Applicant’s surveyor: James M. Lavelle, LLS
2 Starwood Drive
Hampstead, NH 03841

Applicant’s Engineer: Keith Curran, P.E.
Bohler Engineering, Inc.
3 Executive Park Drive, Suite 202
Bedford, NH 03110

Property: Mansion Hill #LO (Map 114, Lot 049003-00-00000) (6.81 Acres) (Rural Residential (RR) District – (minimum lot size is 15,000 SF or 0.34 Acres)

REVISED Proposal: To create **10 8** parcels for **4 3** duplexes & **6 5** Single Family Residences with access to the proposed developments to be provided from Mansion Hill Drive and Valley View Lane, depending on the location of the individual lots :

Lot 01 (~~0.48~~ **0.82** Acres) Single Family Residence (SFR); Lot 02 (~~0.55~~ **0.86** Acres) **Duplex SFR**;
Lot 03 (~~0.34~~ **0.63** Acres) SFR; Lot 04 (~~0.37~~ **1.46** Acres) SFR;
Lot 05 (~~0.38~~ **1.39** Acres) SFR; Lot 06 (~~0.38~~ **0.52** Acres) **SFR Duplex**;
Lot 07 (~~0.38~~ **0.57** Acres) **SFR Duplex**; Lot 08 (~~0.38~~ **0.57** Acres) Duplex;
~~Lot 09 (0.38 Acres) Duplex;~~ ~~Lot 10 (0.38 Acres) Duplex;~~

2. **Application#2** for Major Subdivision of land on Mansion Hill & at termination of White Birch Lane dividing one lot into 18 lots for 17 Single Family Residences (SFR) and 1 duplex.

Applicant/Property Owner: Sean G. Conley d/b/a
*C2 Equity Partners, LLC d/b/a
Lincoln Valley Development, LLC
7 Colchester Road
Windham, NH 03087

*C2 Equity Partners LLC’s registered agent’s name is:
Andrew L. Share, Esq.
Nixon Peabody, LLP
900 Elm Street

Manchester, NH 03101

Applicant/Property Owner's Agent:

Ethan Conley
16 Kayla Avenue
Salem, NH 03079

Applicant's surveyor:

James M. Lavelle, LLS
2 Starwood Drive
Hampstead, NH 03841

Applicant's Agent/Engineer:

Keith Curran, P.E.
Bohler Engineering, Inc.
3 Executive Park Drive, Suite 202
Bedford, NH 03110

Property: Mansion Hill #LO (Map 114, Lot 049) (10.11 Acres) (Rural Residential (RR) District – (minimum lot size is 15,000 SF or 0.34 Acres) the property includes an existing pump house building and associated wells.

REVISED Proposal: To create **18 17** parcels, **17 15** parcels for **17 15** Single Family Residences and **1 2** parcels for **a 2** duplexes with access to the proposed developments to be provided from an extension of White Birch Lane:

Lot 11 09 (0.38 0.34 Acres) SFR;	Lot 12 10 (0.38 0.34 Acres) SFR;
Lot 13 11 (0.38 0.35 Acres) SFR;	Lot 14 12 (0.38 0.35 Acres) SFR;
Lot 15 13 (0.38 0.35 Acres) SFR;	Lot 16 14 (0.38 0.64 Acres) SFR;
Lot 17 15 (0.38 0.35 Acres) SFR;	Lot 18 16 (0.38 0.71 Acres) SFR;
Lot 19 17 (0.38 0.50 Acres) SFR;	Lot 20 18 (0.38 0.35 Acres) SFR;
Lot 21 19 (0.38 0.35 Acres) SFR;	Lot 22 20 (0.38 0.42 Acres) SFR;
Lot 23 21 (0.38 0.41 Acres) SFR;	Lot 24 22 (0.38 0.37 Acres) SFR;
Lot 25 23 (0.38 1.37 Acres) SFR DUPLEX ;	Lot 26 24 (0.38 1.03 Acres) Duplex;
Lot 27 25 (0.38 0.70 Acres) SFR;	Lot 28 (0.38 Acres) SFR.

Road and Infrastructure: Also creating an extension to White Birch Lane with associated infrastructure.

Two Proposals Together: To create a total of **28 25** parcels for 5 duplexes & **23 20** Single Family Residences with access to the proposed developments to be provided from Mansion Hill Drive, White Birch Lane and Valley View Lane, depending on the location of the individual lots.

Upon finding application meets submission requirements of the Lincoln Subdivision Regulations, Board will vote to accept each application as “complete” & a public hearing on the merits of proposal will follow immediately. Should a decision not be reached at the public hearing, the applications will stay on the Planning Board agenda until such time as the applications are either approved or disapproved.

B. NOTICE OF PUBLIC HEARING ON REQUEST FOR SUBDIVISION APPROVAL:

SUB 2024-01 M118 L039 Mark Bogosian d/b/a South Peak LLC – Modify 3 lots and create a total of 28 new lots referred to as “Phase IV” or “Upper Crooked Mountain Road Subdivision” or “Aspen Heights”.

SUBDIVISION:

Application for Subdivision was submitted to the Planning Board during a regular meeting on Wednesday February 14, 2024 at 6:00PM. The hearing was continued to Wednesday, March 13, 2024 at 6:00 PM.

Applicant: Mark Bogosian
850 Main Street
Falmouth, MA NH 02540

Agent/Surveyor/Engineer: Andrew J. Nadeau, L.L.S.
Horizons Engineering, Inc.
34 School Street
Littleton, NH 03561

Property Owner: Mark Bogosian d/b/a
South Peak, LLC
850 Main Street
Falmouth, MA 02540

Properties are all within South Peak Resort and in the General Use (GU) District:

1. **Map 118, Lot 039** (South Peak Road) owned by Mark Bogosian d/b/a South Peak, LLC (38.94 Ac).
2. **Map 121, Lot 051** (Crooked Mountain Road #114) owned by Mark Bogosian d/b/a South Peak, LLC, (0.46 Ac).
3. **Map 118, Lot 039.25** (Crooked Mountain Road) owned by Mark Bogosian d/b/a South Peak, LLC, (0.45 Ac).
4. **Map 118, Lot 039.26** (Crooked Mountain Road) owned by Mark Bogosian d/b/a South Peak, LLC, (0.43 Ac).

Proposal: A total of twenty-eight (28) new lots will be created along new road frontage created by Upper Crooked Mountain Road. Three (3) existing lots along existing road frontage on Crooked Mountain Road will be adjusted along the new Upper Crooked Mountain Road. Infrastructure improvements to such as extension of municipal water & sewer lines & extension of utilities, grading and drainage system will be required.

Application for Subdivision proposes to divide portions of the lots listed above in one (1) subdivision of thirty-one (31) - lots:

1. **Map 118, Lot 039**
(South Peak Road) owned by Mark Bogosian d/b/a South Peak, LLC (38.94 Ac).
2. **Map 121, Lot 051**
(Crooked Mountain Road #114) owned by Mark Bogosian d/b/a South Peak, LLC, (0.46 Ac).
3. **Map 118, Lot 039.25**
(Crooked Mountain Road) owned by Mark Bogosian d/b/a South Peak, LLC, (0.45 Ac).
4. **Map 118, Lot 039.26**
(Crooked Mountain Road) owned by Mark Bogosian d/b/a South Peak, LLC, (0.43 Ac).

Three (3) existing lots adjusted on Crooked Mountain Road to be as follows:

1. **Map 121, Lot 051** (From 0.46 Ac to 0.74Acres.)
2. **Map 118, Lot 039.25** (From 0.45 Acres to 0.44 Acres.)
3. **Map 118, Lot 039.26** (From 0.43 Ac to 0.48 Acres.)

Twenty-eight (28) new lots created on Upper Crooked Mountain Road to be as follows:

1. **Map 118, Lot 039.27** (0.41 Acres)
2. **Map 118, Lot 039.28** (0.38 Acres)
3. **Map 118, Lot 039.29** (0.25 Acres)
4. **Map 118, Lot 039.30** (0.30 Acres)
5. **Map 118, Lot 039.31** (0.39 Acres)
6. **Map 118, Lot 039.32** (0.39 Acres)
7. **Map 118, Lot 039.33** (0.44 Acres)
8. **Map 118, Lot 039.34** (0.37 Acres)
9. **Map 118, Lot 039.35** (0.38 Acres)

10. **Map 118, Lot 039.36** (0.52 Acres)
11. **Map 118, Lot 039.37** (0.64 Acres)
12. **Map 118, Lot 039.38** (0.46 Acres)
13. **Map 118, Lot 039.39** (0.50 Acres)
14. **Map 118, Lot 039.40** (0.37 Acres)
15. **Map 118, Lot 039.41** (0.44 Acres)
16. **Map 118, Lot 039.42** (0.35 Acres)
17. **Map 118, Lot 039.43** (0.70 Acres)
18. **Map 118, Lot 039.44** (0.42 Acres)
19. **Map 118, Lot 039.45** (0.35 Acres)
20. **Map 118, Lot 039.46** (0.35 Acres)
21. **Map 118, Lot 039.47** (0.37 Acres)
22. **Map 118, Lot 039.48** (0.36 Acres)
23. **Map 118, Lot 039.49** (0.48 Acres)
24. **Map 118, Lot 039.50** (0.54 Acres)
25. **Map 118, Lot 039.51** (0.47 Acres)
26. **Map 118, Lot 039.52** (0.42 Acres)
27. **Map 118, Lot 039.53** (0.47 Acres)
28. **Map 118, Lot 039.54** (0.37 Acres)

Upon finding application meets submission requirements of the Lincoln Subdivision Regulations, Board will vote to accept each application as **“complete”** & a public hearing on the merits of proposal will follow immediately. Should a decision not be reached at the public hearing, the applications will stay on the Planning Board agenda until such time as the applications are either approved or disapproved.

IV. NEW BUSINESS

A. REQUEST FOR WAIVER OF STORMWATER MANAGEMENT ORDINANCE (SMO)

WSMO 2024-01 M132 L039 Jay Johonnett PE – Request for Waiver of Stormwater Management Ordinance: Change location of building after removing trees – Request to Avoid Stormwater Management Plan.

Public Hearing: Interested parties are invited to attend, in person, or by agent, to show why this project should, or should not, be granted a waiver from the requirements of the Stormwater Management Ordinance or be required to provide something less than a stormwater management plan. Should a decision not be reached at the public hearing, this application will stay on the PB agenda until such time as it is either approved or disapproved without further published notice.

Property Owner/

Applicant: Joseph Lynch, Manager & d/b/a
Loon Landing Development, LLC
 14 Montalcino Way
 Salem, NH 03079

Agent(s): **Jay Johonnett, P.E.** (Senior Geotechnical Engineer) &/or
George C. Holt, P.G. (Principal Hydrogeologist)
Aries Engineering, Inc.
 46 South Main Street, Suite 3
 Concord, NH 03301

Property: 23 Back Forty Road (Map 132, Lot 039) 0.64 Acres, Rural Residential (RR) District; part of the development known as “The Landing at Loon” and a member of “The Landing at Loon Mountain Homeowners Association”.

SMO: Under the SMO, property owners are required to submit a Stormwater Management Plan if they disturb more than (formerly 50%, now 55% of the lot) or more than (formerly 15,000 SF and now 17,000 square feet).

Background: In 2021, Town issued a Land Use Permit (LUP 2021-055 Joseph Lynch - New Single-Family Residence) & an extension was issued on March 29, 2023 (expires on March 29, 2024).

Applicant, Joseph Lynch d/b/a Loon Landing Development, LLC, initially intended to disturb more than 50% of the lot at 23 Back Forty Road (Map 132, Lot 039) of 0.64 acres on Back Forty Road to construct a Single-Family Residence (SFR) with an attached garage. The subject lot is in an area of steep slopes within the Planning Board approved development called “The Landing at Loon Mountain”. Per Applicant, after clearing the lot and working with building site challenges, Applicant wants to relocate the proposed building from the middle of the lot to the front of the lot, closer to Crooked Mountain Road. Although the lot was cleared, the house is not constructed yet. He would like to avoid the requirement to provide a Stormwater Management Plan and is requesting a waiver. Applicant is requesting a chance to mitigate the clearing to “start over” with a “blank slate”.

Request: Applicant is requesting Planning Board grant a waiver of that requirement as provided for under Article V, Section E of the SMO. According to the Applicant:

“3,530 square feet of previously disturbed area will be restored to natural forest floor with tree plantings consistent with pre-disturbed species. This action will reduce the total area of disturbance to 15,328 square feet. Total lot size is 27,878 square feet. The stormwater management ordinance would no longer apply.”

Upon a finding by Board that application meets submission requirements of Request for a Waiver from Stormwater Management Ordinance, Board will vote to accept above applications as **complete**, and, if Board finds application to be complete, then a public hearing on the merits of proposal will follow immediately. Should a decision not be reached at public hearing, this application will stay on Planning Board agenda until such time as it is either approved or disapproved.

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.

VII. ADJOURNMENT.