

APPROVED

**PLANNING BOARD
PLANNING BOARD MEETING
WEDNESDAY, July 12, 2023, 2023 – 6:00 PM
*Lincoln Town Hall, 148 Main Street, Lincoln NH**

*Hybrid meeting available both in person with social distancing & masks & via Zoom Meeting Platform to allow for town wide participation. A quorum of the Planning Board member must be physically present at the meeting. Although there is space in the room for 8-12 guests in addition to the Board members with social distancing, the public is encouraged to participate remotely using ZOOM.

Join Zoom Meeting

<https://us02web.zoom.us/j/81700766161?pwd=WUFKR2NlZk9xSzI1bVFPRWVzbyt4UT09>

Meeting ID: 817 0076 6161

Passcode: 179696

Find your local number: <https://us02web.zoom.us/u/kblNuPaMlG>

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 Chairman James Spanos

Planning Board Members Present: Chair James Spanos, Vice Chair Joseph Chenard, Selectmen's Representative OJ Robinson, Member Stephen Noseworthy, Member Paul Beaudin, Alternate Danielle Black

Planning Board Member Excused: Alternate Mark Ehrman

Town Staff: Planner Carole Bont

Consultant: Raymond Korber, P.E. (KVPartners, LLC) (via Zoom)

Guests Present:

- **James (Jim) W. Burns**, nonresident, 64 Governors Road, Milton, MA 02186 (**AGENT FOR APPLICANT MARK BOGOSIAN D/B/A SOUTH PEAK, LLC AND FC-LOON LLC**) (via Zoom)
 - Co-owner with Jeanne L. Burns, 64 Governors Road, Milton, MA 02186 of
 - **12 Mountain Brook Circle #2** (Map 116, Lot 012000-02-00006)

Acting as:

A. Business Development for South Peak Resort, now owned by:

- Mark Bogosian d/b/a FC-Loon, LLC, 367 Main Street, Falmouth, MA 02540; (30 Lots); and
- Mark Bogosian d/b/a South Peak, LLC, 367 Main Street, Falmouth, MA 02540 (6 Lots).

- B. Manager of The Village Shops Shopping Center, newly purchased by:
 - Mark Bogosian d/b/a Main Street Lincoln Investments, LLC, 866 Main Street, Osterville, MA 02655 where Longfellow Design Build Osterville, 866 Main Street, Osterville, MA 02655 is also located.
- C. Business Development for Longfellow Design Build owned by:
 - Mark Bogosian d/b/a Longfellow Design Build, 367 Main Street, Falmouth, MA 02540.
- D. Business Development for Longfellow Design Build NH, owned by:
 - Mark Bogosian d/b/a Longfellow Design Build NH, located at 9 Riverside Terrace Drive 2C, Lincoln, NH 03251 (property owned by Mark Bogosian d/b/a Loon Slopeside, LLC) (Map 118, Lot 039001-02-0000C).
- **Casinghino, Gary**, resident (**ABUTTER**), 9 Valley View Lane, Lincoln, NH 03251, 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. (**Also, Phone “603-381-2781” via Zoom**).
- **Ethan Conley**, nonresident (**CO-APPLICANT**) of 43 Forrest Street, Plaistow, NH 03865, unofficial agent(?) for **Lincoln Valley Development, LLC**. Sean G. Conley is d/b/a C2 Equity Partners, LLC and C2 Equity Partners, LLC and C2 Equity Partners, LLC is also d/b/a Lincoln Valley Development, LLC. Owner’s Address is the same as the address for The Holly J. Conley Revocable Trust, 7 Colchester Road, Windham, NH 03087. Property address given is owned by The Holly J. Conley Revocable Trust, 7 Colchester Road, Windham, NH 03087. The principal owner of Lincoln Valley Development Corp., LLC is “C2 Equity Partners, LLC”. The **Lincoln Valley Development, LLC** registered agent’s name in the paperwork at the NH Secretary of State’s Office lists Andrew L. Share, Esq., an attorney listed with Nixon Peabody LLP, 900 Elm Street, Manchester, NH 03101 and the other name associated with C2 Equity Partners LLC is someone by the name of Sean G. Conley. The registered agent for C2 Equity Partners, LLC is Sean G. Conley. Sean G. Conley is the current owner of that land d/b/a C2 Equity Partners, LLC and C2 Equity Partners, LLC is d/b/a Lincoln Valley Development, LLC. Owner’s Address is the same as The Holly J. Conley Revocable Trust.
- **Keith Curran, P.E.**, nonresident (**ENGINEER FOR CO-APPLICANTS**), Bohler Engineering Inc., 352 Turnpike Road, Southborough, MA 01772
- **Anthony (Tony) S. Drapeau**, resident (**ABUTTER**), 20 Valley View Lane, Lincoln, NH 03251 and co-owner with Denise T. Drapeau of 20 Valley New Lane (Map 14, Lot 045).
- **Bonnie Ham**, nonresident (**APPLICANT**), 796 Daniel Webster Highway, North Woodstock, NH 03262 owner of US Route 3 #LO (Map 109, Lot 003) and the building known as a diner currently named “Arnold’s Wayside Diner” and formerly named “Sunny Day Diner” (Map 109, Lot 003-000-BG-00000) that sits on said lot and owned by Bonnie Ham d/b/a Sunny Day Diner, LLC.

- **Kyle McManus**, nonresident (**CO-APPLICANT**), 2 Mockingbird Lane, Kingston, NH 03848, d/b/a Coolidge Ridge, LLC, 2 Mockingbird Lane, Kingston, NH 03848 and owner as of 12/22/2022 a lot called “Mansion Hill #LO” (Map 114, Lot 049-003-00-00000) 6.81 Acres transferred from Susan L. Smith, et al. to Coolidge Ridge, LLC, 2 Mockingbird Lane, Kingston, NH 03848.
- **Frank Pasciuto**, resident, (**ABUTTER**) 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) (initially was on Zoom and then arrived and attended in person.)
- **Severino, John (“Jack”) J.**, nonresident (**ABUTTER**), 394 Cambridge Street, Winchester, MA 01890, co-owner with Lyn K. Severino of 10 Valley View Lane (Map 114, Lot 047) and 11 Franklin Street (Map 112, Lot 071).

CONSIDERATION of meeting minutes from:

- **June 28, 2023 (Wednesday)**
 - Chairman James Spanos, Vice Chairman Joe Chenard, Selectmen’s Representative OJ Robinson, Member Stephen Noseworthy, Member Paul Beaudin, Alternate Danielle Black.

Motion to approve as amended by Selectmen’s Representative O.J. Robinson

Second by Vice Chair Chenard

Five (5) in favor, one (1) Member Beaudin Abstained

III. CONTINUING AND OTHER BUSINESS:

Mark BOGOSIAN:

A. South Peak Resort Revised Master Plan Continued: June 28, 2023, Applicant presented Proposed Revisions to the Master Plan for South Peak Resort. The Revised Master Plan to include ski lifts designed to service ski trails on South Peak which is part of the Loon Mountain Ski Resort owned by Loon Mountain Recreation Corporation with a number of ski-in, ski-out ski trails to be located within the boundaries of South Peak Resort created to provide access to hotel guests and dwelling units within the South Peak Resort.

- a. Board of Selectmen attended the presentation.**
- b. Proposed Revisions to be discussed by Planning Board.**

Presentation

Mr. Bogosian is not present at this meeting and his representative is not planning to discuss the Master Plan at this meeting.

Discussion

The Planning Board discusses some of the questions they have regarding the Master Plan as it was presented at the last Planning Board meeting. Member Beaudin has questions regarding open space, density areas, and ski trails. The Planning Board will have Planner

Bont create a list of questions the Planning Board has regarding the Master Plan and send them to Mr. Bogosian's team. They will continue this to July 26, 2023.

Motion to continue to July 26, 2023 by Vice Chair Chenard

Second by Member Beaudin

All in favor

B. SUB 2023-03 M118 L039+S Peak LLC + FC-Loon LLC – Crooked Mountain Road 8 lots (CMR8) – Subdivision Application – CMR8 (8)

Notice is hereby given in accordance with RSA 676:4 that one (1) **Application for Subdivision** will be submitted to the Planning Board during a regular meeting on Wednesday July 12, 2023 at 6:00 PM.

Applicant: Mark Bogosian
367 Main Street
Falmouth, MA NH 03561

Property Owner: (1) Mark Bogosian d/b/a FC-Loon, LLC
367 Main Street
Falmouth, MA 02540

(2) Mark Bogosian d/b/a South Peak, LLC
367 Main Street
Falmouth, MA 02540

Authorized Agent: Scott P. Miccile, P.E., Civil Engineering & Land Development Director
Longfellow Design Build, Inc.
367 Main Street
Falmouth, MA 02540

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

Properties (8) 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 (95.71 Ac).
2. **Map 121, Lot 051** (Crooked Mountain Road #114) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.48 Ac).
3. **Map 118, Lot 022** (Crooked Mountain Road #115) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.57 Ac).
4. **Map 118, Lot 021** (Crooked Mountain Road #116) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.66 Ac).
5. **Map 118, Lot 023** (Crooked Mountain Road #117) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.37 Ac).

6. **Map 118, Lot 024** (Crooked Mountain Road #118) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.41 Ac).
7. **Map 118, Lot 025** (Crooked Mountain Road #119) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.35 Ac).
8. **Map 118, Lot 026** (Crooked Mountain Road #120) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.54 Ac).

Proposal: A total of eight (8) new lots will be created along existing road frontage. Seven (7) existing lots along this frontage approved in 2007 will be merged with remaining land of Map 118 Lot 39 and re-subdivided with new configurations. Infrastructure improvements to these lots such as extension of municipal water & sewer lines & extension of utilities will not be required as such infrastructure is already in place.

Application for Subdivision:

Proposes to divide portions of the (8) lots listed above in one (1) eight (8) lot subdivision:

1. **Map 118, Lot 039** (South Peak Road) owned by Mark Bogosian d/b/a South Peak, LLC, (95.71 Ac).
2. **Map 121, Lot 051** (Crooked Mountain Road #114) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.48 Ac).
3. **Map 118, Lot 022** (Crooked Mountain Road #115) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.57 Ac).
4. **Map 118, Lot 021** (Crooked Mountain Road #116) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.66 Ac).
5. **Map 118, Lot 023** (Crooked Mountain Road #117) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.37 Ac).
6. **Map 118, Lot 024** (Crooked Mountain Road #118) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.41 Ac).
7. **Map 118, Lot 025** (Crooked Mountain Road #119) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.35 Ac).
8. **Map 118, Lot 026** (Crooked Mountain Road #120) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.54 Ac).

Eight (8) new lots created on Crooked Mountain Road to be as follows*:

***Changes to original proposal are written in red ink.**

1. **Map 118, Lot 039.20 (0.49 Acres)**
2. **Map 118, Lot 039.21 (0.50 Acres)**
3. **Map 118, Lot 039.22 (0.49 Acres)**
4. **Map 118, Lot 039.23 (0.42 Acres)**
5. **Map 118, Lot 039.24 (0.37 Acres)**

6. Map 118, Lot 039.25 (0.38 Acres)
7. Map 118, Lot 039.26 (0.49 Acres)
8. Map 121, Lot 051 (0.46 Acres)

NOTE: Minimum Lot Size in General Use (GU) District is 15,000 SF or 0.344 Acres. 3 proposed lots are less than the minimum lot size.

The noticed April 12, 2023 6:00 PM Planning Board public hearing was continued to the next meeting scheduled on May 10, 2023 6:00 PM. The May 10, 2023 6:00 PM public hearing was continued to the next public hearing on June 14, 2023 6:00 PM. The June 14, 2023 6:00 PM hearing was continued to June 28, 2023 6:00 PM, at which time the Planning Board invited the Board of Selectmen to attend so both boards will hear Applicant's presentation about the proposed amended Master Plan for South Peak Resort. On June 28, 2023 6:00 PM, the Planning Board & Applicant agreed to continue to July 12, 2023 at 6:00 PM. Applicant will move forward with his presentation of the proposed eight (8) lot subdivision on July 12, 2023 at 6:00 PM.

Presentation

Mr. Bogosian's representative asks for the Planning Board to continue this application as they are reviewing the comments from the Technical Review Committee. *Inaudible*. Planner Bont discusses the agenda for the July 26, 2023 to see if they can continue to that date.

Discussion

Member Beaudin discusses the elevation of the subdivision and that some lots are above the nine hundred fifty (150) foot elevation. The Planning Board discusses the elevation and the water pressure.

**Motion to continue to July 26, 2023 by Vice Chair Chenard
Second by Selectmen's Representative O.J. Robinson
All in favor**

C. Conceptual:

CON 2023-08 M109 L003 & L003-BG

- **M109 L003 Bonnie Ham – US Route 3 #LO (Land Only)**
- **M109 L003000-BG-000 Bonnie Ham d/b/a Sunny Day Diner, LLC – 92 US Route 3 (Building Only)**

Jay Bartlett moved the diner onto the subject lot in 1984. The diner was not opened for business until 1985. The Lincoln zoning ordinance (Land Use Plan Ordinance) was not adopted until 1986. The diner predates the adoption of the zoning ordinance.

Bonnie Ham has owned the land of the subject lot for many years; however, in the past she did not own the diner building. Ham now owns the diner building as well. The diner building was formerly owned by Sunny Day Diner, LLC. The diner is now owned by

Bonnie Ham d/b/a Sunny Day Diner, LLC. Currently, Ham is operating the diner under the name of “Arnold’s Wayside Diner”.

At some point in time the deck was extended by a previous owner. No Land Use Permit was found. In the spring of 2020 during COVID, Town Manager gave Ham permission to build a canopy roof over the existing deck to accommodate outdoor seating during COVID. In 2020 the canopy roof over the deck was constructed. Although the extended deck and the canopy roof cover are located in the Shoreland Protection Area, the State determined that the deck with roof cover does not trigger the Shoreland Protection Act. The extended deck and the roof cover are also located in the 100-year flood plain, however, the proposed improvements are not considered a “Substantial Improvement”, then compliance with the floodplain regulations is not required for this proposed development per Senior Planner/Floodplain Management Program Coordinator for State of NH Office of Strategic Initiatives – Division of Planning.

Now Ham is looking to enclose the porch space with “temporary removable walls” so she can serve those same tables and chairs currently located on the deck during the winter months.

Does she need Site Plan Review approval for this expansion?

Bonnie Ham was not present at the PB meeting on June 14, 2023. PB asked Ham to come in to this next meeting.

Presentation

Ms. Ham explains her previous permission to build a roof over the deck had nothing to do with COVID. She only wanted to have a roof over the outside dining area. She came into the Town office to find out if she needed a permit to build the roof. Ms. Ham explains that the roof is not any larger than the footprint of the deck. She notes that she has all of the required local and state permits and the number of seats is ninety (90) seats which has never changed.

The Planning Board discusses the number of seats as it relates to the capacity of the space. The Planning Board discusses the setback and determine that the deck is not in the setback area. Ms. Ham explains that the number of seats is the same and the parking is also the same. She plans to add three (3) temporary walls on the inside edge of the roof. The bottom of the walls will be solid material and the top will be glass windows. The walls will be used during colder weather months and removed in the warmer months. There will be overhead lighting. They will have a Rinnai heater and insulation under the deck.

Discussion

Planner Bont discusses some of the questions that she had and that Ms. Ham answered them. She adds that the deck is in the flood plain but it is not an issue as it is such a small area and would not increase the assessed value. Chairman Spanos asks if the walls will be weather tight. Ms. Ham explains that she will be budgeting \$10,000 and would be very surprised if she spends that much. Member Beaudin asks if the walls will be in place all year round. Ms. Ham responds that they will not be in place all year as she wants open air dining in the summer. The Planning Board discusses the heating of the deck area. Vice Chair Chenard makes a suggestion that Ms. Ham

consider using an overhead door system similar to what a diner in Plymouth uses. A discussion begins regarding overhead door possibilities.

Parking

Member Beaudin asks if parking is an issue. The Planning Board discusses if parking is an issue. Ms. Ham admits that parking is not the greatest but will not be made worse as the number of seats will remain the same. A lengthy discussion regarding parking and possible solutions begins. The Planning Board determines that the current requirement for parking spaces for ninety (90) seats plus employees would total twenty-six (26) spaces. Ms. Ham is not sure of the actual spaces there currently but thinks the number is just shy of twenty-six (26) spaces. Vice Chairman Chenard mentions that the parking is grandfathered. The Planning Board continues the discussion regarding parking.

Motion that Ms. Ham's proposal does not constitute the need for Site Plan Review as long as the wall panels for the deck are seasonal in nature by Member Beaudin

Second Selectmen's Representative O.J. Robinson

All in favor

III. NEW BUSINESS

A. Conceptual:

CON 2023-08 M114 L049 (newly subdivided into 2 lots):

- **M114 L049.3 owned by Coolidge Ridge, LLC (Land Only) [6.81 Acres]**
- **M114 L049 owned by Lincoln Valley Development, LLC (existing pump house building & associated wells) [10.11 Acres]**

Property Owners:

Ethan Conley and Ed McManus entered into a Purchase & Sales Agreement with former property owners & then subdivided property owned by Legare heirs (Susan L. Smith, Raymond & Pauline A Legare, Trustees) into two lots:

Later the 2 newly subdivided portions of the Legare property were transferred to perhaps Conley & McManus d/b/a two different LLCs.

1. 12/22/2022 – Manson Hill #LO (Map 114, Lot 049-003-00-00000) 6.81 Acres was transferred from Susan L. Smith, et al. to Coolidge Ridge, LLC, 2 Mockingbird Lane, Kingston, NH 03848. Kyle R. McManus is listed as the principal of this LLC. Owner's Address is the same as home address for Kyle R. McManus.
2. 2/21/2023 – Mansion Hill #LO (Map 114, Lot 049-000-00-00000) 10.11 Acres was transferred from Raymond & Pauline A Legare, Trustees to Lincoln Valley Development, LLC, 7 Colchester Road, Windham, NH 03087. Property address given is owned by The Holly J. Conley Revocable Trust, 7 Colchester Road, Windham, NH 03087. The principal owner of Lincoln Valley Development Corp., LLC is C2 Equity Partners, LLC. The Lincoln Valley Development, LLC registered agent's name in the paperwork at the NH Secretary of State's Office lists Andrew L. Share, Esq., an attorney listed with Nixon

Peabody LLP, 900 Elm Street, Manchester, NH 03101 and the other name associated with C2 Equity Partners LLC is someone by the name of Sean G. Conley. The registered agent for C2 Equity Partners, LLC is Sean G. Conley. Sean G. Conley is the current owner of that land d/b/a C2 Equity Partners, LLC and C2 Equity Partners, LLC is d/b/a Lincoln Valley Development, LLC. Owner's Address is the same as The Holly J. Conley Revocable Trust.

Agent: Keith Curran, P.E., Bohler Engineering Inc., 3 Executive Park Drive, Floor 2, Bedford NH 03110

Proposal: Lots are in the Rural Residential (RR) District. Develop the area into multiple parcels with single family and multi-family housing. Access to the proposed developments will be provided from Mansion Hill Drive, Valley View Lane and White Birch Lane depending on the location of the individual lots.

1. Manson Hill #LO (Map 114, Lot 049-003-00-00000) 6.81 Acres (undeveloped) 7 single family homes plus 4 duplexes = 15 dwelling units.
2. Mansion Hill #LO (Map 114, Lot 049-000-00-00000) 10.11 Acres (existing pump house building and associated wells). 24 "camps" = 24 dwelling units.

Presentation:

(It is difficult to decipher what is being said as people are speaking too softly so the microphone cannot pick up what is being said.)

Applicants' Engineer Keith Curran PE describes the proposal to the Planning Board and supplied each member a set of conceptual plans.

Discussion/Questions

Fire Truck

Member Beaudin asks if there is a hammerhead or turnaround area planned for the emergency vehicles and fire truck.

Shared Driveways

Member Beaudin asks about driveways. The reply is there are eighteen (18) lots coming off a "driveway". The Planning Board discusses driveways and driveway requirements versus roadways and roadway requirements.

Homeowners' Association

Member Beaudin asks if any of the common areas for this development including the roadways will be its own association. The answer is "yes", there will be easements. Each owner has the right to maintain a driveway, but is not obligated to maintain a driveway.

Water, Sewer and Utilities

Member Beaudin discusses the water, sewer and utilities. He comments the developers will need to have some designation of responsibility as to who is responsible for maintaining the roadways, and utilities after they are installed.

Shared Road Maintenance Concerns

Member Beaudin comments that there is a law when there is a common road going through other people's lots that everybody has to pay to maintain it. He suggests that the developers have some language addressing who will be responsible for the maintenance and repairs and all expenses associated with the maintenance and repairs. The Planning Board discusses road and utility maintenance.

Stormwater Management

Member Beaudin reminds the developers that they will need to follow the State and the Town's regulations regarding stormwater management and follow the Town's Stormwater Management Ordinance. He adds that there will need to be language addressing who is responsible for ongoing maintenance and repair of whatever provisions are required.

The Planning Board discusses the Thomas Tremblay's subdivision when he created "The Meadows", and how he dealt with the maintenance agreement for the roads.

Access to Lot 6

Selectmen's Representative O.J. Robinson asks do they access Lot 6. The Planning Board discusses and the developers said there will be easements.

Shared Driveway

Selectmen's Representative O.J. Robinson wonders how many homes can share a driveway. Planner Bont confirms the maximum number of lots that can share a driveway is two (2) lots per shared driveway.

Setbacks

Wetlands

Water and Sewer Capacity

Member Beaudin mentions that the developers will need to conduct a capacity study that shows that the Town has adequate water and sewer capacity to take on this proposed development. He adds that Town Engineer Ray Korber and the Technical Review Committee can guide them through the process.

Mr. Korber explains that the applicant's consultant will coordinate directly with his office and everything will go through Technical Review Team. Mr. Korber will work one on one with the consultant and work out all the details then present the information to the Technical Review Team for final concurrence. The Planning Board discusses and suggest that this step be taken early in the planning process.

Fire Department Review Required

Planner Bont comments that they will also need to contact the Fire Department to find out what will be required for the emergency services. Planner Bont asks Mr. Korber if he recalls the number of houses allowed on a shared driveway. Mr. Korber does not know the answer to that question and would need to review the ordinance to see if there are any specific requirements for

that as part of his review. Mr. Korber will coordinate directly with the Fire Department and determine the turning movements within development to make sure they can get the fire apparatus in and out in an effective, efficient manner. Member Noseworthy comments that a cul-de-sac would make it easier for them to turn a fire truck around in. The Planning Board discusses a cul-de-sac and the hammerhead options.

Definition of “Camp”

Selectmen’s Representative O.J. Robinson asks what makes the house a “camp”.

Engineer Curran answered that the “camp” is a smaller single-family home with two (2) bedrooms vs. three or four (3-4) bedrooms. The “camps” are year- round homes.

Wells

Vice Chair Chenard discusses wells on the property.

Subdivision Approval and Site Plan Review

Planner Bont confirms that they will require Subdivision Approval and Site Plan Review. She reminds them of the Stormwater Management Ordinance and suggests they need to keep any water that is currently on the property on the property and they cannot disperse the water onto other lots.

Size of Homes

The Planning Board discusses the size of homes.

Property Boundaries

The Planning Board discusses the property boundary, wetland and lot square footage. The topic of shared driveways is discussed and the question of whether the shared driveway is considered part of the lot coverage or not.

Road Size

Member Beaudin notes the road sizes and the Planning Board discusses whether or not a fire truck can turn around. It is suggested that the developers take a look at that.

Retaining Walls

Alternate Black asks if they have looked into building retaining walls due to the steepness of the lots. The Planning Board discusses retaining walls and the developers were told that the State Building Code (and the Town’s Land Use Plan Ordinance) requires that retaining walls of a certain size or greater be engineered by a civil engineer who also has to supervise the building of the retaining walls and then sign off on the actual construction of those retaining walls, taking on full legal responsibility for those retaining walls.

Road vs. Shared Driveway

Member Beaudin discusses how the required setback calculations will affect the proposed lots based on the minimum lot size of fifteen thousand (15,000) square feet per lot.

Review

The Planning Board reviews the items mentioned above and reminds the applicants that they will need answers when they come back for approvals.

Lot Size

The Planning Board discusses lot sizes. The applicant comments that they want the “camp” houses to be “small” (i.e., 1,000-1,500 square feet) with trees around the houses.

Fire Hydrants

A discussion regarding fire hydrants starts and someone pointed out that there are fire hydrants on the top of Mansion Hill Drive and Manor Drive at the Hammerhead.

Street Lighting

A discussion regarding street lighting begins.

Water and Sewer Follow-Up

A discussion on how the water and sewer capacities are determined begins. Mr. Korber will assist in the study.

Layout and Shared Driveway Concerns

Selectmen’s Representative O.J. Robinson comments that he likes the layout of the “camps” but has concerns regarding the shared driveways. He adds that he thinks the developers may be using the shared driveway to get around some other regulations.

Selectmen’s Representative O.J. Robinson notes that this development is going to include a homeowner’s association (HOA) roadway with water and sewer for each individual parcel of land which will require easements.

Selectmen’s Representative O.J. Robinson notes that by not having the road separate it looks to him like the developers are trying to get around the minimum square footage requirements and the setback requirements. He notes that on Lot 13 the setback from the lot line is the paved roadway and that is not acceptable. The lot line setbacks, if it’s a shared driveway, is going to start out at the edge of the pavement or beyond the pavement where there may be a swale, storm drain or buried water and sewer.

The Planning Board discusses street vs. shared driveway.

Planner Bont reads from the ordinance and it is determined that it implies that if it’s more than two (2) lots it is not a “driveway” but a “street”. She adds that one of the issues people have with shared driveways is that they almost never agree on paying shared expenses.

The Planning Board reviews the ordinance and the definition of “Street”. They note that a street can be on a lot. The Planning Board discusses easements, streets and setbacks. Planner Bont explains how roads are created by the Town.

The Planning Board discusses setbacks. Planner Bont explains that the setbacks are calculated based off of the property boundary lines.

Selectmen's Representative O.J. Robinson discusses doing this with easements rather than separate lots does not change the setback or the lot calculations. If they choose to make the road an easement all the way through, they will still need to create an HOA. If the developers make the property boundary line in the middle of the "driveway" or "street", the setback line will not be calculated off from the property boundary line, but rather off from the edge of the street or roadway. The minimum lot size calculation also starts off of the roadway and will not include the roadway.

The Planning Board discusses setbacks and lot coverages as they relate to the road. Member Beaudin suggest they reconsider the roadways and driveways to be sure they comply with the Town regulations. Vice Chairman Chenard adds that if the property owners and their guests have to back out of their driveways into the roadway the traffic situation could be very disastrous.

There is a discussion regarding water, sewer and electric service (whether it will be above ground or underground) and how burying these services will impact the roadway.

The Planning Board discusses easements and common areas.

Total Number of Lots

Member Beaudin asks if they need thirty-five lots (35) to make this project "work" financially. He suggests reducing the number of "Camps" and putting the single-family and duplex homes on bigger lots which would work better with the roadway issue.

Conclusion

The developer and their engineer will review the information the Planning Board has provided and make the appropriate changes. They will also review possible hammerheads for the fire trucks to turnaround and consider addressing snow removal issues.

The Planning Board discusses researching the wetlands issue.

Final comments from Mr. Korber:

Mr. Korber explains that the NH Department of Transportation (DOT) does a lot to accommodate rural roadways and the State does allow eighteen-foot (18') roadways, but there are also shoulders involved which makes it more of a twenty-two (22) foot wide footprint for rural roadways. He thinks it might be doable and he doesn't understand why the developers

can't put in a roadway and designate that area as part of the HOA as opposed to making the roadway a shared driveway where the property boundary lines are bisecting the roadways. He suggests that they take another look at the roadway issues.

IV. PUBLIC PARTICIPATION AND OTHER BUSINESS:

OTHER BUSINESS: *Inaudible because people were speaking to softly so the microphone did not pick up the conversation. Topic of discussion? Regarding information in the packet given to the Planning Board.*

Lincoln Housing Units/Dwellings

Median House Value

Member Beaudin reads that the median house value in Lincoln is two hundred eighteen thousand dollars (\$218,000) and questions where North Country Council got that amount.

North Country Council (NCC) Regional Housing Needs Assessment

State Plan and Census Information

NCC Data Incorrect

Median Home Price in NH is \$495,000

Topics for Discussion:

Selectmen's Representative O.J. Robinson proposes that the Planning Board prioritize nine (9) topics, relating to ordinances and regulations, and start the process of discussing them during Planning Board meetings when time allows. He would like to review ordinances and regulations to see if there are things that they want to change and put on the Town meeting warrant in 2024. He adds that this is just a list of topics he feels the Planning Board should consider discussing and the BOS has not discussed the topics. The Planning Board discusses what Selectmen's Representative O.J. Robinson has proposed. Selectmen's Representative O.J. Robinson distributes the list of topics to the Planning Board members. The Planning Board reviews the list of topics and discuss.

PUBLIC COMMENT

Frank Pasciuto, from the audience, speaks about the Planning Board and various proposals before the Board that are coming from investors. His concern is about managing all of the developments made by investors and the problems that result which the full-time residents of Lincoln face because of those investor driven developments. The Planning Board discusses Airbnbs (i.e., Short Term Rentals). Selectmen's Representative O.J. Robinson comments that this is a topic they could add to the list he distributed. They could craft and add definitions of "Residential Use" and "Business Use"). The Planning Board also discusses whether a Short-Term Rental should be

considered a “business use” versus a “residential use” as well as short-term rentals in general.

Planner Bont explains that if Mr. Pasciuto would like to see a topic on the agenda, he can send her an email and she will put it on the agenda. Chairman Spanos adds that the Planning Board is working for the public, not themselves. He explains that Mr. Pasciuto may not get his way but the Planning Board will consider it.

Mr. Pasciuto discusses single family neighborhoods and how they are being converted to commercial uses without thinking about the negative consequences on the neighborhood. He wonders if the Planning Board ever takes into consideration the residential character of a neighborhood when approving business uses. The Planning Board discusses that NH is the Live Free or Die state.

Is Mark Styles Currently in Violation of the LUPO?

The Planning Board discusses that the Mark Styles’ container is still there and the forty-five (45) days are up.

The Planning Board discusses container homes and regulations for hotels, the expansion proposed by Loon Mountain, etc.

VI. ADJOURNMENT

**Motion to adjourn by Vice Chairman Chenard
Second by Selectmen’s Representative O.J. Robinson
All in favor**

Respectfully submitted,

Judy Sherriff
Recording Secretary

Date Approved: July 26, 2023


Chairman Spanos