

APPROVED

**Lincoln Planning Board
Public Hearing & Meeting
Wednesday, January 13, 2021– 6:00 PM
Lincoln Town Hall - 148 Main Street, Lincoln NH 03251**

Due to the current COVID-19 situation, and to a recent staff exposure to COVID-19, the Town Office is closed to the public. This meeting will be available only via the Zoom Meeting Platform to allow for town wide participation. The public is encouraged to participate remotely using ZOOM by going to:

Join Zoom Meeting:

<https://us02web.zoom.us/j/82434172861?pwd=c1BKNVRzWUVHSXIBNmRQL1I5UFR1Zz09>

Meeting ID: 824 3417 2861

Passcode: 704515

or via telephone (1-929- 205-6099).

(See also town website www.lincolnnh.org for the same link, meeting ID and passcode.)

Members: (All via ZOOM) Chair James Spanos, Vice Chair Joe Chenard, Selectmen's Representative OJ Robinson, Member Mark Ehrman, Member Steve Noseworthy, and Alternate Paul Beaudin

Staff: (All via ZOOM) Planner Carole Bont, Fire Chief/Health Officer/Code Enforcement, Officer/ZOOM Meeting Moderator Ron Beard

Guests: (All via ZOOM)

- Stuart Anderson, nonresident, for (ALBA ARCHITECTS, LLP ARCHITECTURAL FIRM FOR BOTH APPLICANTS), 137 Main Street, PO Box 186, North Woodstock, NH 03262
- Brenton (Brent) Drouin, Primary current tenant of the Applicant John Imbrescia d/b/a 49 Main Street, LLC) Owner and broker of Century 21 Mountainside Realty, 49 Main Street, PO Box 788, Lincoln, NH 03251-0788
- Joshua McAllister, PE, CPESC, MBA, Vice President/Senior Civil Engineer for HEB Engineers, Inc. – nonresident, (ENGINEER FOR APPLICANT) (HEB Engineers, Inc., 2605 White Mountain Highway, PO Box 440, North Conway, NH 03860)
- Andrew Nadeau, Engineer for Applicant John Imbrescia d/b/a 49 Main Street, LLC (Horizons Engineering, Inc.)
- Attorney Mark Stiles, nonresident, (APPLICANT) d/b/a Mark Stiles Trustee, S&A Offices Realty Trust, PO Box 1113, North Marshfield, MA 02059. Proposed owner of 155 Main Street (Map 118, lot 065) currently owned by Saber Mountain Properties, LLC, PO Box 820, Lincoln, NH 03251-0820 and 153 Main Street (Map 118, Lot 064) currently owned by Sabert Mountain properties II, LLC, PO Box 820, Lincoln, NH 03251-0820

- Dr. Joseph Strand, nonresident, Riverside Community Care, 270 Bridge Street Suite 301, Dedham MA, 02026, proposed primary commercial tenant for the Applicant's property

Abutters:

- Denise L. Angwin Trustee, co-owner with Ralph P. Mason Trustee, of the Denise Angwin Revocable Trust 17 Mount Auburn St Chelmsford, MA 01824, of 7 LaBrecque Street, (Map 112 Lot 056)
- Denis E. Desmairis, Trustee, owner of 11 Maple Street (Map 118 Lot 066), Denis E Desmarais Revocable Trust Of 2012 PO Box 711 Lincoln, NH 03251
- D. Russell

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

MOTION: "To skip over consideration of the minutes."

Motion: Paul Beaudin Second: OJ Robinson All in favor

III. CONTINUING AND OTHER BUSINESS

A. SPR 2020-15 M118 L064 & L065 – Mark Stiles Trustee S&A Offices Realty Trust – Saber Mountain Properties, I & II – Multi-Use Building

Application for Site Plan Review Approval to merge two adjacent lots, demolish two buildings and replace buildings with one proposed multi-use building will be submitted to the Planning Board. Both lots are in the Village Center (VC) District.

Applicant: Mark D. Stiles, Trustee
 S&A Offices Realty Trust
 PO Box 1113
 North Marshfield, MA 02059

Property Owners and Properties:

1. Saber Mountain Properties, LLC owns 155 Main Street (Map 118, lot 065).
PO Box 820
Lincoln, NH 03251-0820
2. Saber Mountain Properties, II, LLC owns 153 Main Street (Map 118, Lot 064).
PO Box 820 Lincoln, NH 03251-0820

Agent/Surveyor/Engineer: Applicant & two property owners are represented by agent.

Joshua M. McAllister, PE
HEB Engineers, Inc.
2605 White Mountain Hwy
North Conway, NH 03860.

Proposal: Applicant proposes to voluntarily merge the two lots & construct a 3,586 square foot multi-use building consisting of retail and residential uses: 3 commercial units totaling 2,460 SF are proposed on the ground level, 3 apartment units on 2nd level, & 3 apartment units on 3rd floor.

Presentation:

Type of Business:

Applicant Mark Stiles began by explaining to the Board that the first commercial client to occupy the building would be Dr. Joseph Schrand, "Dr. Joe" who is a speaker, psychiatrist, award-winning author, and podcaster with a focus on a psychological approach to helping people better themselves. The approach he uses is called the IM approach. It is a global approach that applies to anyone. Mr. Stiles explained the details of Dr. Joe's business to the Board. Dr. Joe will be founding the very first IM institute which will be the aggregator of professional services to help individuals better themselves. Dr. Joe took a few moments to educate the Board on the IM approach. He explained that this brick-and-mortar building is a space to train other trainers in the IM approach not just for the Town of Lincoln but really it is open to anyone anywhere. There will be other practices in the building including massage, mediation, chiropractic, and life coaching to make this a one stop wellness facility that will take up approximately one to two thirds of the building.

Revisions to Plan:

Engineer Josh McAllister explained some of the revisions they made to strengthen their plan based on the comments and concerns brought up at their last meeting with the Planning Board in November. He stated that they made sure to address the checklist items in their plan application that are outlined in the ordinances and take into account the need for the density waiver. Further, he added that the ordinance does allow for a geometric and dimensional waiver from the density requirements as long as all other items are met. He added that this request corresponds almost perfectly with the Town's recently approved master plan which references a need to apply waivers for additional density.

Engineer Josh McAllister stated that he submitted two very detailed documents with his plans to the Planning Department on December 18, 2020.

- A. A letter that outlined plan changes that HEB Engineers and the applicant enacted to address the comments and concerns that came out of the last meeting.
- B. The official waiver request from the density requirement.

Mr. McAllister stated

1. They addressed vehicular access – they wanted to be sure a 40-foot box delivery truck could enter and exit the site. This is demonstrated in an overlay on the plans. This project will not create excessive traffic trip generators;

2. Additional snow storage areas are also included on the plan as well as a note that all snowfall will be removed from the site within 48 hours of a snowfall event;
3. A center walkway as opposed to the three walkways on the original plans was designed to allow for a less open entry and a little more green space in the front of the building;
4. A single parking lot light to the back of the building will be mounted on the building and provides some light right at the entry and to the first few parking spaces. The new plan shows a light spread from this one fixture which shows zero glare exiting the parking lot or being emitted from the parking lot to abutting properties;
5. A note was added to the plan which states that all trash and recycling will be managed in the interior of the building. There is not a dumpster location on the plan. The wellness center will be a low trash producer and the remainder of the building will be residential and they will have to manage their own trash by bringing it to the transfer station. A property manager would manage the commercial trash.
6. The drainage was also modified. Some roof drainage was added including a gutter to the front to ensure that the stormwater from the roof didn't fall on the sidewalk. The drain was directed to a dry well on Maple Street to make sure that it infiltrates.
7. A NHDOT driveway permit is not required by NHDOT but NHDOT has made the applicant aware that an excavation permit for the sidewalk is required and typically it would be the contractor that applies for this permit. This permit is solely for the sidewalk upgrades that NHDOT is fully in support of;
8. They addressed the need for a density waiver request for the commercial and the residential spaces. They are seeking a waiver from the requirement for 90,000 square feet. Mr. McAllister explained that density is typically a zoning consideration so the justification for the waiver for this density requirement was to consider how the ZBA looks at special exceptions and outline all of the details to make it easier for the Planning Board to make a decision to provide much needed residential density in the Village Center District.
9. Mr. McAllister stated that he did provide the explanation in a detailed document provided to the Planning Board. He questioned whether the Board would like him to go through the explanation in detail. Member Robinson stated that it would be a good idea to briefly go through them. Mr. McAllister stated that the special exception criteria which he used as the framework for this does outline a lot of different opportunities.
10. Mr. McAllister highlighted that the most recent Town master plan does point out the need for rental housing units to house local workers. The plan specifically states that the Town zoning ordinance should provide some flexibility of design and layout for residential units in mixed residential and commercial areas. This waiver request really does fit what the Town's vision for Lincoln is. The site is suitable for the use with adequate usable space and adequate access.
11. All of the other zoning requirements outlined in the LUPO have been addressed in this application with the exception of the density.
12. Another exception is the absence of environmental issues which does not relate to this lot as the lot is not in floodplain or wetland area.

13. The parking scheme has been provided and the applicant meets the ordinances for traffic circulation.
14. The applicant meets the open space requirement of the ordinance as the building lot coverage is 78.5 % coverage which meets the 80% lot coverage criteria.
15. As far as fencing and screening, there is an existing fence which goes around the perimeter of the property. This fence will be removed and a new stockade fence will be erected in a slightly different location.
16. The next justification is that the proposed use structured development will not have a negative effect on the immediate neighborhood. There is a lot of varying architecture in this part of the Village Center. Mr. McAllister believes that Alba Architects has put together a look that is definitely an upgrade to the area.
17. The use will not disturb the tranquility of the area and is consistent with the uses in the area. It is not incompatible or undesirable and will not produce noise, dust or glare.

Member Ehrman stated that this is an excellent presentation and project for the Town of Lincoln.

Water and Sewer Capacity:

Alternate Beaudin questioned whether the applicant has looked at the water and sewer capacity and whether the Town has the infrastructure in place to accommodate this project as it is an increase in use for these lots. Further discussion ensued.

Mr. McAllister stated that this has not been asked of the applicant to date but it could be something that could be addressed and maybe made a condition of approval. Engineer Stuart Anderson agreed that this would be an engineered and coordinated effort at the time of construction. Member Beaudin stated that the size of the pipes in this location should definitely be considered. Vice Chair Chenard stated that there is an issue with the size of the sewer pipe that runs from the proposed Fairfield Inn down past this property to the sewer lagoons. Fire Chief Beard agreed but said that the pipe that runs past this property is on the other side of the road and is not the same pipe that the proposed Fairfield Inn runs into.

Adequacy of Parking:

Vice Chair Chenard stated that he believes the parking lot is too small. Mr. McAllister replied that there are 18 parking spaces with one handicap space which meets the ADA requirements. This is also in line with the Town's parking regulations. Member Beaudin expressed concerns with the amount of parking lot/spaces that would be taken up when a large box truck is unloading. Mr. McAllister stated that when you look at the commercial space taking up one to two-thirds of the space, it is unlikely that such a large box truck would come during business hours. He added that if you look at many of the businesses on Main Street, they don't have the capacity for off street space for delivery trucks but that there would be a short time of possible inconvenience more likely for the residents. Member Beaudin commented that the Board needs to plan for the worst-case scenario rather than the best-case scenario. Mr. Stiles stated that one use he will not have in this space is a restaurant as he has no desire to lease the property for that type of use. He assured the Board they would not see large/oversized delivery trucks such as one the size of a Cisco truck delivering to this property. Member Robinson commented that a restaurant isn't being proposed and if it were, it would have to come back before the Board for site plan review. He added that the Board does not need to discuss "what-ifs."

Stormwater Runoff:

The Board expressed some concerns with the water runoff onto the sidewalk. Engineer Stuart Anderson stated that with the cross gables, cascading roofs, the gutter, and the roof dripline being 5 feet back from the sidewalk, he is confident that the proposed plan is totally adequate to manage the stormwater runoff. No water should come off the roof and onto the sidewalk.

Greenspace and Landscaping:

Member Beaudin stated that the Board is looking to bring more green space and landscaping back to Main Street. Mr. Anderson stated that the building is deliberately set back as far as possible from the Maple Street sidewalk in order to allow for a green space buffer. There is space to allow for landscaping and potential screening in this location. In the rear, there is also the new stockade fence that will be put in place. Member Beaudin stated his only concern is the lack of green space especially for the residential units. There is no safe place for children to play. Member Ehrman stated that there is such a need for workforce housing that this will meet a need in the community. There is a great deal of recreational spaces in town as well as a playground.

Abutters Input:

Member Beaudin questioned whether there have been any comments from abutters. Planner Bont stated that there have been letters of support from three (3) local businesses including:

1. Dennis Ducharme who owns RiverWalk Resort, InnSeasons at Pollard Brook Resort, InnSeasons at South Mountain;
2. Jay Scambio President of from Loon Mountain; and
3. Lahout's.

Fire Protection Measures:

The Board also discussed fire protection measures with the applicant.

Member Beaudin questioned whether the building would have a sprinkler system. Mr. Anderson replied that there is no requirement by the international building code or the NFPA to install a sprinkler system in a building of this size and of this construction type. Member Beaudin thought a sprinkler system would be a good idea in order to give the fire department time to set up in such a small space (either on Maple Street or the side street). Mr. Anderson was amenable to the idea.

Vice Chair Chenard questioned whether there will be additional fire protection between the residential and commercial floors. Mr. Anderson replied that yes according to code, there must be additional fire protection between any commercial and residential space, residential to residential space, and the stairwell. Chief Beard added that Mr. Anderson is well versed with the codes. Chief Beard stated that he would have to review the codes but he would not want to require the applicant to do something outside of the requirements of the building code. Mr. Anderson stated that the building code does require an automatic monitored fire alarm system and emergency lighting.

MOTION: "To open the hearing for public comment."

Motion: Mark Ehrman

Second: James Spanos

All in favor.

There was no public comment.

MOTION: "To close the hearing."

Motion: Joe Chenard

Second: OJ Robinson

All in favor.

Vice Chair Chenard questioned whether or not the building would remain under one ownership. Applicant Stiles replied affirmatively that this is his intent. His plans for these units are for them to be nice quality long term workforce housing. Mr. Anderson added that if any of the units were to be sold off as a condominium in the future, that would require subdivision approval. OJ Robinson reiterated that this is not an application for condominium units and only the application should be discussed.

At this time Chairman Spanos polled the Board on whether they think the applicant meets the requirements with the exception of the density.

Has the applicant met the parking requirements?

Member Noseworthy	Yes
Member Ehrman	Yes
Vice Chair Chenard	Yes
Member Robinson	Yes
Chair Spanos	Yes

MOTION: "To waive the density requirements for this project."

Motion: OJ Robinson

Second: Joe Chenard

OJ Robinson reminded the Board of language in the Town's Master Plan which states, "The Town's Zoning Ordinance should provide for some flexibility and design for residential units and mixed use in established commercial areas particularly in the Village District." He added that the Town's LUPO allows for flexibility in density as long as a project meets all of the other zoning requirements. He stated that in regards to this application, all of other zoning requirements have been met.

Motion carries by four with Member Noseworthy voting nay.

MOTION: To approve SPR 2020-15 M118 L064 & L065 – Mark Stiles Trustee S&A Offices Realty Trust – Saber Mountain Properties, I & II – application for Site Plan Review Approval to merge two adjacent lots, demolish two buildings and replace buildings with one proposed multi-use building will be submitted to the Planning Board with the following conditions:

- 1. Demonstrate they have sufficient water and sewer infrastructure;**
- 2. Remove the snow from the parking lot within 48 hours of a storm;**
- 3. A stormwater management plan approved by the Town Engineer Ray Korber; and**
- 4. Roof runoff mitigation plan approved by Town Engineer Ray Korber.**

Chairman Spanos polled the Board as to whether they wanted to include a landscaping plan as one of the conditions of approval.

Member Noseworthy	Yes
Member Ehrman	Recused himself
Vice Chair Chenard	No
Member Robinson	No
Chair Spanos	No

Motion: OJ Robinson Second: Chairman Spanos Motion carries unanimously.

B. SUB 2020-05 M112 L055 – 49 Main Street, LLC (John Imbrescia) – Condo Conversion of Existing Retail Consumer Service Use Building

Application for Subdivision Approval to convert a pre-existing existing commercial/retail/consumer service building into business condominium units. No change in use.

Applicant/Surveyor: Andrew J. Nadeau, LLS,
Horizons Engineering, Inc.
34 School Street
Littleton, NH 03561.

Property Owner: John Imbrescia d/b/a 49 Main Street, LLC
PO Box 127
Lincoln, NH 03251-0127.

Property: Map 112, Lot 055 49 Main Street (0.38 Acres).
Village Center (VC) District.

Proposal: After subdivision/condominium conversion units will be as follows:

1. Existing Lower Level into Common Area = 1,631 SF
2. Existing Main Level into Common Area = 787 SF
3. Existing Upper Level into Convertible Unit Space = 2,828 SF
4. Existing Main Level into Unit A = 1,769 SF
5. Existing Lower Level into Unit A = 1,304 SF
6. Existing Main Level into Unit B = 1,767 SF
7. Existing Lower Level into Unit B = 1,285 SF
8. Grand Total = 11,371 SF

Presentation: Engineer Andy Nadeau presented the project to the Board. Member Robinson stated that he is an abutter to this property through his involvement with NLI and offered to recuse himself from the Board if the applicant so wishes. The applicant had no issue with Member Robinson presiding over the application. Member Noseworthy commented that there is a right-of-way that runs behind the property. Mr. Nadeau stated that this is a very old right-of-way to the back lot.

MOTION: "To accept the application as complete."

Motion: OJ Robinson

Second: Joe Chenard

All in favor

MOTION: "To open the hearing for public comment."

Motion: OJ Robinson

Second: Joe Chenard

All in favor

There was no public input.

MOTION: "To close the hearing for public comment."

Motion: Mark Ehrman

Second: Joe Chenard

All in favor

**MOTION: "To approve SUB 2020-05 M112 L055 – 49 Main Street, LLC (John Imbrescia)
– Condo Conversion of Existing Retail Consumer Service Use Building as presented."**

Motion: OJ Robinson

Second: Joe Chenard

All in favor.

IV. ADJOURNMENT

With no other business to attend to, the following motion was made.

MOTION: "To adjourn the meeting at 8:03pm"

Motion: OJ Robinson

Second: Joe Chenard

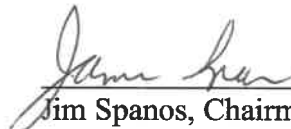
All in favor.

Respectfully submitted,

Brook Rose

Recording Secretary

Date Approved: February 24, 2021



Jim Spanos, Chairman

