

**APPROVED**

**LINCOLN PLANNING BOARD  
PUBLIC HEARING AND MEETING MINUTES**

Wednesday, October 27, 2021 – 6:00 PM  
Lincoln Town Hall, 148 Main Street, Lincoln NH

**This hybrid meeting will be available both in person with social distancing and via the Zoom Meeting Platform to allow for town wide participation. There is room in the room for between 8 and 12 guests in addition to the Board members. The public is encouraged to participate remotely using ZOOM by going to:**

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**Passcode: 518851**

**Or dial by your location 1-929-205-6099 US (New York)(See also town website [www.lincolnnh.org](http://www.lincolnnh.org) for the same link, meeting ID and passcode.)**

**CALL TO ORDER:** by Chairman Spanos

**Present:** Chair James Spanos, Vice Chairman Joe Chenard, Selectmen's Representative O.J. Robinson, Member Stephen Noseworthy, Member Paul Beaudin.

**Excused:** Mark Ehrman

**Staff Present:** Fire Chief & Code Enforcement Officer/Health Officer/Zoom Host and Moderator Ronald Beard, Planner Carole Bont, Planning Board Recorder Judy Sherriff (via Zoom).

**Guests:**

- **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.
- **Brian G. Norton**, non-resident, of 20 Gray Road, Campton, NH 03223 (PRESENTER), Vice President of Operations at Loon Mountain Resort, 60 Loon Mountain Road, Lincoln, NH, 03251; Loon Mountain Resort is owned by Boyne Resorts, 3951 Charlevoix Avenue, Petoskey, Michigan, 49770.
- **Jason (Jay) W. Scambio**, resident and co-owner with Katie W. Scambio of 20 Pollard Pines Drive, Lincoln, NH 03251 (Map 117, Lot 048), (PRESENTER), President and General Manager Loon Mountain Recreation Corporation, General Manager for Boyne Resorts, 3951 Charlevoix Avenue, Petoskey, Michigan, 49770 that is owner of 60 Loon Mountain Road (Map 126, Lot 020) a/k/a Loon Mountain Resort.

- **Attorney Mark Stiles**, nonresident, (APPLICANT) d/b/a Mark Stiles Trustee, S&A Offices Realty Trust, PO Box 1113, North Marshfield, MA 02059. Owner of:

(1) 155 Main Street (Map 118, lot 065)  
Mark Stiles d/b/a Flow State, LLC  
PO Box 1113  
North Marshfield, MA 02059

(2) 153 Main Street (Map 118, Lot 064)  
Mark Stiles d/b/a It's An I-M, LLC  
PO Box 1113  
North Marshfield, MA 02059.

**I. CONSIDERATION of meeting minutes from:**

- **October 13, 2021**
  - (Chairman Spanos, Vice Chairman Chenard, Board of Selectmen's Representative O.J. Robinson, Member Steve Noseworthy, Member Paul Beaudin, Alternate Mark Ehrman)

**MOTION to approve as amended by Member Beaudin**  
**Second by Vice Chairman Chenard**  
**All in favor.**

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

**IV. NEW BUSINESS.**

- A. CON 2021-05 M126 L020 Loon Mountain Recreation Corporation – A Conceptual.**  
**Loon Mountain Recreation Corporation proposes to take the quad ski lift that was removed from Kancamagus Express (and replaced with an 8-seater ski lift) and use the former Kancamagus Express quad ski lift to replace the current “Seven Brothers” lift. The quad is not the same size as the current Seven Brothers Lift.**

- 1. Presenter: Brian Norton – Vice President of Operations, Loon Mountain Resort, 60 Loon Mountain Road, Lincoln, NH 03251 owned by Boyne Resorts, 3951 Charlevoix Avenue, Petoskey, MI, 49770**
- 2. Presenter: Jay Scambio - President & General Manager Loon Mountain Recreation Corporation, General Manager for Boyne Resorts, 3951 Charlevoix Avenue, Petoskey, MI, 49770**

**Presentation**

Presenter Norton discussed the proposed project and asked if the Planning Board would require Site Plan Review approval. Similar projects in the past have not required Site Plan Review approval; this project is simply replacing one chair lift for another. There are no parking issues attached to this project.

## Questions

Member Beaudin expressed his opinion that this chairlift is not simply replacing one chair lift for another because the new quad ski lift at the Seven Brothers current lift site would increase the capacity of the ski lift at that location which could affect the neighboring community (i.e., The Mountain Club). He feels this proposed project would require Site Plan Review approval by the Planning Board.

### **How many skiers can be handled per day?**

Chairman Spanos asks Presenter & VP of Operations Norton “How many more skiers will you handle a day with this?”

Presenter Norton responded with some statistical information. The current Seven Brothers’ chair lift has a maximum capacity of two hundred one (201) people. (Maximum capacity means the number of people on the lift at any given time). This maximum capacity of the “new” quad lift is going to be one hundred thirty-six (136) people maximum at any given time. However, the rope speed of the “new” quad lift is faster because it is a detachable chairlift. The increased capacity of the lift at the Seven Brothers site will change from eighteen hundred (1,800) riders per hour to twenty-four hundred (2,400) riders per hour. The potential capacity is greater, however, the number of people on the chairlift at a time is less.

Presenter Scambio added to the conversation by explaining that the improvement of the Seven Brothers lift is to speed up access to trails with a high-speed detachable lift. The primary improvement to the ski area that is to be gained would be on inclement weather days when the gondola is closed due to high winds. When the gondola is closed, people only have access to a fixed grip chairlift to ride up from Octagon base area which creates congestion, even on the slowest days. The goal is to improve the experience for guests to be able to get up out of the base area quicker. The new lift will take guests up faster from a thirteen (13) minute ride to eight (8) minute ride.

### **Will more tickets be sold?**

Chairman Spanos asked if the new lift would enable Loon Ski Area to sell more tickets.

Presenter Scambio answered “no”. He explained that Loon Ski Area will continue to restrict ticket sales even though there are no state or federal restrictions.

Presenter Norton stated they are not looking to increase the capacity of the Loon Mountain Resort.

### **What part of a Site Plan Review would be meaningful to the Planning Board? What is the Planning Board going to look at?**

Selectman’s Representative O.J. Robinson asked other members of the Planning Board: What part of a Site Plan Review would be meaningful to the Planning Board? What is the Planning Board going to look at? Robinson said **The Mountain Club on Loon** is not a residential use but rather a commercial use; he does not feel that input from individual unit owners at **The Mountain Club on Loon** as abutters would do for this issue. Those owners and their guests are most likely skiers. The “new” ski lift would reduce the skier congestion outside of **The Mountain Club on Loon**.

## Discussion

The Planning Board discussed the details regarding what would constitute meaningful input from abutters if a Site Plan Review were requested for this project.

Member Beaudin said he felt that the Site Plan Review process would give transparency to the project and allow abutters an opportunity to voice their concerns.

Chairman Spanos referred to previous projects (e.g., Clarks Trading Post, and The Whales Tale) involving amusements where the Planning Board required Site Plan Review approval. Planner Bont listed the abutters: White Mountain National Forest, Westwood Acres, and the Town of Lincoln. Applicant Scambio clarified that the chairlift is not an amusement ride but an aerial tramway, certified by the State of New Hampshire, to carry people from one place to another for the purpose of skiing. It is replacing an existing use and the impact on any abutters is minimal, if at all. The Board looks at this as an improvement to the experience of people who are skiing at the resort. Also, this lift is not going to be running on a daily basis except for holiday periods. It will be used mainly as an emergency backup for the gondola lift which is susceptible to weather issues. He mentioned that the people visiting the Mountain Club are mainly there to enjoy the mountain and skiing and he does not see this project as an issue for them. Vice Chairman Chenard raised concerns regarding setting a precedent for future projects if the Planning Board does not require Site Plan Review approval for this project. Chairman Spanos and Selectman's Representative agreed that the decisions made by the Planning Board are on a case-by-case basis and not precedent-setting.

**MOTION to waive Site Plan Review for the replacement of the Seven Brothers lift with the former Kancamagus Express lift by Selectmen's Representative O.J. Robinson**

**Second by Vice Chairman Chenard**

**Four (4) in favor and one (1) not in favor. (Paul J. Beaudin II opposed.)**

**Chairman Spanos states the motion passes 4-1.**

**B. SPR 2020-20 M118 L064 & L065 Mark D. Stiles, Trustee, S&A Offices Realty Trust/Saber Mountain Properties, LLC & Saber Mountain Properties, II, LLC – Multi-Use Building. Request for an Extension of Site Plan Review Approval.**

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

**Property #1**

**Former Property Owner of Property #1:**

Saber Mountain Properties, LLC **owned 155 Main Street (Map 118, lot 065).**  
PO Box 820  
Lincoln, NH 03251-0820

**Current Property Owner of Property #1:**

Mark Stiles d/b/a Flow State, LLC **now owns 155 Main Street (Map 118, lot 065).**  
PO Box 1113  
North Marshfield, MA 02059

**Property #2**

**Former Property Owner of Property #2:**

Saber Mountain Properties, II, LLC  
PO Box 820  
Lincoln, NH 03251-0820

**owned 153 Main Street (Map 118, Lot 064).**

**Current Property Owner of Property #2:**

Mark Stiles d/b/a It's An I-M, LLC  
PO Box 1113  
North Marshfield, MA 02059

**now owns 155 Main Street (Map 118, lot 065).**

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

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

**Property:** 155 Main Street (Map 118, lot 065), Lincoln, New Hampshire  
153 Main Street (Map 118, Lot 064), Lincoln New Hampshire  
Properties are located in the Village Center (VC) Zoning District.

**Project:**

Site Plan Review approval was granted January 13, 2021. The project included the voluntary merger of two (2) adjacent lots, the demolition of two (2) buildings (one on each of the adjacent lots) and replacing the two (2) buildings with the construction of a three thousand-five-hundred-eighty-six square foot (3,586 SF) multi-use building consisting of retail and residential uses: three (3) commercial units totaling two-thousand-four-hundred-sixty square feet (2,460 SF) are proposed on the ground level, three (3) apartment units on 2<sup>nd</sup> level, and three (3) apartment units on 3<sup>rd</sup> floor.

**Decision:**

On January 13, 2021, after duly noticed public hearings, the Planning Board voted:

**A. "To waive the density requirements for this project." (4-1).**

**Rationale:** The Town's Master Plan 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." The Town's LUPO allows for flexibility in density as long as a project meets all of the other zoning requirements. All other zoning requirements are met.

**AND**

**B. Voted TO APPROVE application for Site Plan Review Approval to merge two adjacent lots, demolish two buildings and replace buildings with one proposed multi-use building WITH THE FOLLOWING CONDITIONS:**

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

**Korber; and**

**4. Roof runoff mitigation plan approved by Town Engineer Raymond Korber.**

**C. Conceptual - CON 2021-06 M118 L064 & L065 Mark D. Stiles, Trustee, S&A Offices Realty Trust/Saber Mountain Properties, LLC d/b/a It's An I-M, LLC and d/b/a Flow State, LLC – ideas about multi-phasing the project for Multi-Use Building described above.**

### **Discussion**

Chairman Spanos asked Applicant Mark Stiles if he was looking for an extension to which Applicant Stiles replied “I am”. Planner Bont clarified that Applicant Stiles currently has Site Plan Review approval until January 13, 2022, but he wants to extend his approval out another year and possibly change the plan in the interim.

Applicant Stiles explained he is requesting an extension to allow for him to do an analysis of the approved project as the lumber costs come down and the supply chain loosens up. In the meantime, he is considering whether he may want to downsize the approved project. He is considering having a residential unit above 155 Main St. to help stabilize and keep things moving in the right direction.

### **Request for Extension**

Chairman Spanos polls the Planning Board asking if anyone has any issues extending this to January 13, 2023.

**MOTION to extend to January 13, 2023 so moved Vice Chairman Chenard**

**Second Selectman's Representative O.J. Robinson**

**All in Favor**

### **Discussion regarding 155 Main Street (Map 118, Lot 065).**

Applicant Stiles explained that he is almost ready to use the office space on the first floor at 155 Main Street. He would like to utilize the space on the second floor by converting it into a two-bedroom residential apartment. This would be an “interim project” while he analyzes the viability of the overall project that the Planning Board already gave him Site Plan Review approval for.

### **Questions**

Chairman Spanos asked Applicant Stiles what is currently on the second floor.

Applicant Stiles said he believed there was an apartment on the second floor at one time. The second-floor space contains a bathroom and another room that would easily be retrofitted to become a kitchen. There is a large office and they would keep that office in place and section off the apartment with an egress that can gain access through the office if necessary.

Vice Chairman Chenard confirmed that the second floor was once a residential use. Planner Bont pointed out that for at least the last nine (9) years both the top floor and the bottom floor have been used as an office. 155 Main Street may have been a mixed-use building prior to 2013.

Applicant Stiles stated his intention would be to create a modified version of the overall project (a mini version of what was approved for 155 Main Street). The building use will remain “commercial” (i.e., Business Use: “Retail, Consumer Service or Other Business Nonindustrial Use Other Than Above Which Does Not Qualify as a Home Business”) on the first floor and residential (i.e., “Attached Accessory Apartment”) on the second floor.

Applicant Stiles said his original plan was to tear down the 155 Main St. building. Applicant Stiles said he will not be taking down the building at this time. The building located at 153 Main Street will most likely come down. He feels that if the concept works at 155 Main Street, that building will remain and he would work with the engineers to blend any new buildings with the existing 155 Main Street building. Right now, his goal is to use the 155 Main Street building and get the best possible use from it while he analyzes the overall project.

### **Site Plan Review Discussion**

Chairman Spanos asks the Planning Board if a Site Plan Review would be needed just to put a residential apartment back in.

Planner Bont explained that Applicant Stiles already has approval for those two (2) uses (residential and business) on those properties as part of the Site Plan Review approval.

The Planning Board discussed the approved use for that building and concluded it is a mixed use of commercial [business] and residential.

Chairman Spanos clarified that the Site Plan Review approval for the 155 Main Street building was to take down the building.

Selectman’s Representative O.J. Robinson added that the Planning Board approved a plan to tear down the 155 Main Street structure, but also to replace it with a larger building spanning two (2) lots. That approval also included addressing both stormwater runoff issues and parking issues.

Planner Bont reminded the Planning Board that one (1) apartment would require two (2) parking spaces per unit and the office space on the first floor also had parking space requirements based on square footage of retail or customer space. The combined lots have plenty of parking spaces for both buildings. The proposed “interim use” for 155 Main Street would not cause any parking issues and it is a much less intensive use than the new larger building’s mixed use he is already approved for. The Planning Board discussed the fact that the proposed interim project has less living space, less square footage, less runoff problems, less parking requirements, and no change in the setback areas than the approved project.

Selectman’s Representative O.J. Robinson asked the Planning Board what issues they would be concerned about. Chairman Spanos responded that there really are not any issues.

### **Land Use Permit Discussion**

Chairman Spanos said that converting the building to a mixed use would require a Land Use Authorization Permit.

Vice Chairman Chenard agreed and added that fire alarms would need to be checked.

Selectman's Representative O.J. Robinson added that safety egress would need to be reviewed as well. Robinson said that if a kitchen were installed upstairs, there would be water and sewer tap fees that would have to be paid. If bedrooms are installed there would be bedroom impact fees that would need to be paid which comes with the issuance of a Land Use Permit.

Member Beaudin mentioned that if changes were made to the overall scope of the project approved by the Planning Board with leaving one building and then modifying the original project, Applicant Stiles would need to come before the Planning Board again. Planner Bont agreed that if modification were made Applicant Stiles would need to come back. She asked Applicant Stiles if he was aware of that. Applicant Stiles replied that he was aware. Applicant Stiles explained that his goal was not to modify the project that was already approved by the Planning Board now.

Planner Bont said that Applicant Stiles would be coming in once a year for an extension of the Site Plan Review approval. If Applicant Stiles changed his mind about the type of project he wanted to do, he would come in for a modification of the Site Plan Review plan which would require the Town to notify all of his abutters. In the meantime, Applicant Stiles was asking for permission to use the existing building as they currently exist. She does not think that would require him to come back for Site Plan Review approval, but would require a Land Use Authorization Permit to add bedrooms and fixtures that use municipal water and sewer services.

Chairman Spanos asked the Planning Board if they have any objections. The Planning Board did not have any objections. Chairman Spanos asked Applicant Stiles if there were any plans to make changes to 153 Main St. Applicant Stiles replies that 153 Main St. will be left as it is right now.

Chairman Spanos concluded the discussion by telling Applicant Stiles that he can get a Land Use Authorization Permit from Planner Bont.

### **V. PUBLIC PARTICIPATION AND OTHER BUSINESS:**

There are no public comments or opinions.

#### **Other Business**

Member Beaudin discussed the CIP from last meeting and asked the Planning Board if there were any questions. The Planning Board did not have any questions regarding the CIP. It was mentioned that there will a public hearing in November.




**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: 11/12/2021

  
James Spanos, Chairman

