APPROVED

LINCOLN ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
WEDNESDAY, MAY 21, 2014 – 6:00PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH

Present: Chairman Paul Beaudin II, Jonathan Ham (arrived later), Ron Comeau, Don Landry, (arrived later), Board of Selectman's Representative Patricia McTeague
Members Excused: None.
Members Absent: None.
Staff Present: Planning and Zoning Administrator Carole Bont, Nikki Donahue (recorder)
Guests:

- David A. Coonan, Jr.

I. CALL TO ORDER: by Chairman Paul Beaudin called the meeting to order at 6:12 P.M.

II. CONSIDERATION OF DRAFT MEETING MINUTES FROM:

- MARCH 19TH, 2014

Motion: To Approve the Minutes as Submitted.
Motion: Patricia McTeague Second: Ron Comeau
Motion Carried (4-0).

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

The following case was continued from February 19, 2014 to March 19, 2014, to May 21, 2014.

A. 6:00 pm. **Application for Special Exception for a Drive-Up Restaurant** as specified in the Land Use Plan Ordinance, Article VI (District and District Regulations), Section B (District Regulations), Paragraph 2 (Land Use Schedule), Chart of Business Uses for Drive-up Restaurants under the Village Center District (V.C.), where Drive-Up Restaurants are allowed in the Village Center (VC) District by Special Exception as provided in Article VIII, Section A (Board of Adjustment), Paragraph 2, subparagraphs A-D.

1. **Case #ZBA #2014-01**
2. Locations: Tedeschi Food Shop
   36 Main Street
   (Tax Map 112, Lot 006)
3. Applicant: Tedeschi Food Shops, Inc.
   14 Howland Street
   Rockland, MA 02370

4. Property Owner:
"36 Main Street Lincoln Corp"
(c/o CMRK, Inc. - Fawaz el Ehoury)
15 Railroad Drive
Northborough, MA 01532

DESCRIPTION: Under Land Use Plan Ordinance, Article VIII, Section A, Paragraph 2, Applicant Tedeschi Food Shops, Inc., is seeking a Special Exception to put in a Drive-Up Restaurant on property owned by 36 Main Street Lincoln Corp. (Tax Map 112, Lot 006) in the Village Center (VC) District which requires a Special Exception as specified in the Land Use Plan Ordinance, Article VI (District and District Regulations), Section B (District Regulations), Paragraph 2 (Land Use Schedule), Chart of Business Uses for Drive-up Restaurants under the Village Center District (V.C.), where Drive-Up Restaurants are allowed in the Village Center (VC) District by Special Exception as provided in Article VIII, Section A (Board of Adjustment), Paragraph 2, subparagraphs A-D. Therefore, Tedeschi Food Shops is requesting a Special Exception from the ZBA.

ACTION: Acceptance of the application as administratively complete by the Zoning Board.

ACTION: The Zoning Board may conduct a public hearing, or schedule a public hearing at some future date established during this meeting.

ACTION: Approval, approval with conditions or disapproval of the application by the Zoning Board.

David Coonan, the Director of Design and Construction of Tedeschi Food Shops, presented his project plan to redesign the interior of Tedeschi Food Shops (to include a deli) and to install a drive-thru window at the left side of the building (where a drive-thru was previously for Dunkin Donuts). He stated that the only difference from the original design is that his plan clearly shows the drive-thru window location. The existing location for the cash register and the standup coolers will remain the same. The deli will have some seats and tables for customers.

Chairman Beaudin stated that there needs to be four seats for every parking spot. Coonan stated that there is sufficient parking at the location, so that shouldn't be a problem. He also presented a sample menu for the deli to the Board.

Chairman Beaudin asked about the hours for the business. Coonan stated that the hours of operation are five am to eleven pm, and Coonan wishes to keep these hours the same.

Chairman Beaudin asked if additional exterior lighting will be added and Coonan stated that one exterior light that is broken might be fixed, but he is not adding anything.

Coonan added that the only elevation change to the location would be the drive-thru window addition to the side of the building. Coonan stated that the only architectural changes to the building will be the addition of the drive-thru window.

Coonan stated that noise levels and additional traffic will not cause issues for the location.

Chairman Beaudin asked if the dumpsters are animal proof and multiple board members said that they were not. Selectman McTeague stated that the town of Lincoln has an ordinance requiring animal proof dumpsters. Chairman Beaudin stated that Mr. Coonan look into this and address that issue.

Chairman Beaudin inquired if approval from the owner was on file and Carole Bont stated that yes, the owner has given written approval.

Don Landry arrived and joined the board discussion.

Selectman McTeague inquired about the environmental trailer on side at Tedeschi. Coonan stated that he has talked to the owner and the trailer could be moved to the back of the building, should the drive-thru window be approved.

Selectman McTeague inquired why Carole Bont asked the board to take note of where the gas pumps were located. Carole Bont stated that she wanted the board to note the space available for cars to pass both to the gas pumps and to the drive-thru window.

No public present so the Board did not open to public hearing.

Criteria 1- The development is architecturally compatible with surrounding residential district.
All in favor.

Criteria 2- Traffic access to and from the development will not alter the character of the district.
All in favor.

Criteria 3- Lighting and noise levels will be of such design as not to disturb the tranquility of the district.
All in favor.

Criteria 4- The proposed use will not be incompatible with, or undesirable in relation to existing uses.
All in favor.

Application for special exception for a drive-up restaurant is approved by the Zoning Board of Adjustment. (5-0)

VII. 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.

VIII. ADJOURNMENT

Motion to Adjourn.
Motion: Patricia McTeague
Second: Ron Comeau
Motion carries unanimously by all members present (5-0)

The meeting was adjourned by 6:52 pm.

Respectfully submitted,

Nikki Donahue, Planning and Zoning
Minute Taker

Dated: May 21th, 2014

Paul Beaudin, II, Chair