



TOWN OF LINCOLN, NH
Planning & Zoning Department
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**NOTICE OF DECISION
ZONING BOARD OF ADJUSTMENT
LINCOLN, NEW HAMPSHIRE**

**CASE #ZBA 2014-01
May 21, 2014 DECIDED/June 4, 2014 POSTED**

SPECIAL EXCEPTION

You are hereby notified that a **SPECIAL EXCEPTION WAS GRANTED** FOR:

Applicant: Tedeschi Food Shops, Inc.
14 Howland Street
Rockland, MA 02370

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

Property: 36 Main Street (Tax Map 112, Lot 006) in the Village Center (V.C.) District

A **Special Exception** was requested under Land Use Plan Ordinance, Article VIII, Section A, Paragraph 2, to put in a **Drive-Up Restaurant** at 36 Main Street (Tax Map 112, Lot 006) in the Village Center (VC) District which required 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. This request was **GRANTED WITHOUT CONDITIONS on May 21, 2014**, after a duly-noticed public hearing by the affirmative (unanimous) vote of the Zoning Board of Adjustment.

The following representations were made and relied upon at the hearing:

- The drive-through window will be installed at the left side of the building where the former Dunkin Donuts window was located. The window will be the only exterior change to the building.
- The deli will have some seats and tables for customers inside.
- There is sufficient parking to accommodate the requirement for one parking spot for every four seats.
- The hours of operation will be from 5:00 am to 11:00 pm – the same as the rest of the business.
- No additional exterior lighting will be added.
- Noise levels and additional traffic will not cause issues in that particular location.

- Dumpsters will be animal-proofed as required by the Town Ordinance.
- The Property Owner submitted signed approval for this project.

FOR THE ZONING BOARD OF ADJUSTMENT



Paul Beaudin, II
Chair of Zoning Board of Adjustment

Note: The Board of Selectmen, any party to the action or any person directly affected has a right to appeal this decision. Any person aggrieved by this decision of the Zoning Board of Adjustment is referred to NH RSA 677, which sets forth the appeal procedure, available at the Lincoln Town Offices during regular working hours. This notice has been placed on file and made available for public inspection in the records of the ZBA on June 4, 2014. Copies of this notice have been distributed on June 4, 2014, to:

Applicant: Tedeschi Food Shops, Inc.
Property Owners: 36 Main Street Lincoln Corp
Board of Selectmen
Town Manager
Town Clerk
Tax Assessor
Fire Chief
Public Works Director
Cartographic Associates, Inc.
Posted at Town Offices on June 4, 2014
Posted at Post Office on June 4, 2014

Prior to issuance of any Land Use Permit or Subdivision Approval or Site Plan Review Approval the applicant shall obtain all applicable state and federal permits and approvals and provide copies to the Town, including any permits obtained from NHDES and any documentation will be provided to the Town.

Note: A special exception was granted for (1) year from the date of approval May 21, 2014, to an expiration date of May 20, 2015. If work has not been started one (1) year from this date the applicant must re-file for an extension for an additional six (6) month period, only if the plan is still in compliance with all town regulations in effect at that time. Before the final approval is extended, the Planning Board may require the applicant to appear before the Board to discuss the status of the project or any aspects of the plan.

Dated: June 4, 2014



Paul Beaudin, II, Chair
Zoning Board of Adjustment