

LINCOLN BOARD OF SELECTMEN'S

APPROVED

MEETING MINUTES

MAY 9, 2022 – 5:30PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

(THE RECORDING OF THIS MEETING CAN BE FOUND ON YOUTUBE)

Board of Selectmen Present: Chairman OJ Robinson, Vice Chair, Tamra Ham and Jack Daly

Staff Present: Town Manager, Carina Park, Executive Assistant, Jane Leslie and Public Works Director, Nate Hadaway

Public Present: Debbie Celino, Karen & Dave O'Rourke, Kerry O'Connell, Virginia Perkins, Joseph & Donna Conn, Jim Crispen, Dennis Gaudet, Attorney Derek Lick, Mark Bogosian and Jim Burns

Public Present via Zoom Video Conferencing: Paul Beaudin, II, Ryan Fairbrother, Fire Chief Ron Beard and Jennie Harrington

I. CALL TO ORDER

Chairman Robinson called the meeting to order at 5:30 pm.

II. APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETING

MOTION: "To approve the BOS meeting minutes of May 2, 2022 as amended."

Motion: Tamra Ham

Second: Jack Daly

All in favor.

III. WEST STREET ROAD REPAIR PROJECT – GATE PLACEMENT

Chairman Robinson explained that part of the West Street Road repair project included the re-placement of the gate on the Rt. 112 side of the road which was removed during the construction process. Tonight's public discussion about the replacement of the gate was to allow for the West Street residents the opportunity to voice any comments or concerns that they may have with the location of the gate. Director Hadaway explained that he has spoken with two West Street residents who had varying opinions on where the gate should be located, and this matter has since been resolved (the gate will be an automatic electronic gate that will be put back to where it was originally located prior to the road repair project).

Joe Conn asked if a *No thru Traffic* sign could be erected because the public is not noticing that West Street is a dead-end street, and it is causing a lot of unnecessary traffic. There was a brief discussion about checking to see if 911 could change their GPS address information to denote that there is no thru traffic on West Street. The Board thanked the West Street residents and Director Hadaway for working together during this challenging project that took a while longer than originally expected, and collaborating on a resolution for concerns over the gate placement.

Kerry O'Connell asked if the construction crew would be returning to straighten out the residential lawns that were hastily landscaped this past fall? Director Hadaway responded that he has discussed the loam job and gravel work with Town Engineer Ray Korber who will be discussing this with AJ Coleman (Contractors) and the final pay requisition will be withheld until this work is completed properly.

Dave O'Rourke commented that his driveway grade has been lowered by approximately one-foot as a result of the road project which is now a slip-and-fall hazard, and he is also now getting water in his basement. Mr. O'Rourke noted that he had not had these issues prior to the repair work, and was hoping that there would be something done to mitigate these matters. Director Hadaway said he would also speak with Ray Korber about this.

IV. SOUTH PEAK WATER TANK DEVELOPMENT UPDATE

South Peak Owner/Developer, Mark Bogosian updated the Board on the status of the project and provided the Selectmen with a PowerPoint presentation (*see attached*) that detailed the historical context of the South Peak Resort project according to the 2006 Master Plan, as well as the direction he would like to take going forward. Mr. Bogosian presented a draft Construction Easement Agreement (*see attached*) that has also been forwarded to Town Counsel, Jason Dennis. Attorney Lick (Sulloway & Hollis) reviewed the draft easement noting that the agreement will terminate when the improvements on the South Peak LLC land for the water tank are complete or November 10, 2023 (deadline for the Town to construct the Town Water Tank pursuant to the Supplemental Agreement), whichever occurs first. Selectman Daly commented that the November 10, 2023 deadline (time frame) is not feasible and will not happen considering the amount of work that needs to be done with the US Forest Service and the bidding process, and he would like to see this date and other dates reference moved out by one year (2024). Chairman Robinson commented that the permanent easement looks fine to him, however, he is not certain if the wording will meet the criteria of the US Forest Service (USFS). Mr. Bogosian noted that for the sake of getting things moving, he wanted to get this easement drafted as a starting point and edit accordingly based on the Town and USFS feedback.

Project Overview – South Peak Resort:

Attorney Lick reviewed the South Peak Project Overview noting that the 2006 Master Plan (as approved) included a mixed-use development phase which included (a) Condo hotel units, (b) Resort condominium units, (c) additional single-family units, (d) Skier services, (e) Conference facilities, and (f) Recreational amenities which will be spread out over the 360-acres. Attorney Lick also touched upon the Developer's vested rights to develop 1018 units [Note: The Town acknowledges that the existing municipal water supply and sewer treatment facilities have sufficient capacity to adequately serve the water/sewer requirements of the Project at full buildout]. Attorney Lick remarked that at the present time, there are 16 single-family lots sold and ready for construction; 74 single-family lots available to be sold, 40 built condos, and 43 homes built (Total: 173) and 845 approved units are still available to be developed in South Peak totaling 1018.

Selectman Daly asked if there was a maximum number of bedrooms agreed upon in the basis of design? Mr. Bogosian responded that there was not, and that the entire discussion between the development agreement and the Master Plan were a unit specific basis. Daly also questioned whether or not Mr. Bogosian would allow river access to remain open to the public? Bogosian responded that it would remain open along with all recreational outdoor amenities including the J.E. Henry Trail. Daly also noted that during a ZBA meeting last week, several property owners expressed concerns over "covered ski bridges" that were being built from private homes leading to the trails that Loon maintains, and questioned Mr. Bogosian if he plans on building more of these covered bridges going forward? Bogosian said he was going to speak with his team who was discussing this aspect with the Architectural Review Board (ARB), and he would get back to the Board on this.

Robinson commented that this is all very exciting, and he appreciates Mr. Bogosians's candid honesty in sharing his plans, scope and ideas going forward, but noted that the Planning Board and Board of Selectmen have two separate purviews, and the BOS had signed an agreement guaranteeing water based on 1018 units, however, this was very subdivided as to single-family homes with 4-bedrooms; condos and hotel rooms which totals the 1018 units, and also more defined as to what the water usage is. Robinson noted that although the water usage is vested, he is not certain if there is a guarantee or vested rights to town water beyond the 1018 units that were given to the Selectmen in guaranteeing water rights going forward. Robinson does not feel that this will be an issue until the project gets down to the construction of the last handful of units, and a lot can change. Mr. Bogosian noted that a lot of information that the

Town has does not actually match the actual number of rooms in some of the homes, and he would like to get a better accounting system to ensure greater oversight on Land Use Applications.

V. OLD/NEW BUSINESS

Town Manager's Report

Scenic Byways Grant:

Carina submitted the final application to the DOT on Friday, May 6th. DOT will be selecting five (5) final projects to be submitted for this federal grant program, and will be rendering a decision within the coming weeks.

NH DOJ Grant:

Carina will be working on a submittal to the DOJ for a grant opportunity provided by the State's ARPA funding for a radar/message sign, and two (2) solar speed signs.

New Town Hall Hours of Operation:

Carina was given the Board's approval to change the Town Hall's hours of operation from 8am-4:30pm to 8am-4pm effective Tuesday, May 31st. Carina feels that based on her observations thus far, the morning hours are the busiest time of day for Town Hall staff, in addition, most Town staff eat their lunch at their desk and continue working throughout the day. Selectman Ham acknowledged that there will be Town staff that will still come in before 8am and stay beyond 4pm. Ham noted that during her time helping out at Town Hall prior to Carina's arrival, there is a lot of work that needs to be done, and Town staff ensure that it gets taken care of regardless of the amount of time it takes. Selectman Daly questioned the Department of Public Works summer work hours (four (4) 10-hour work days, and Fridays off) with just one employee and Director Hadaway continuing with their regular five-day work schedule, and asked if this was a new practice. Ham explained that DPW started doing this last summer, and it worked out so well that they are continuing it again this year. Robinson questioned if this will mean that the Town Clerk will be left alone in the building on the day that she is open until 5pm? Carina explained that Monday nights are BOS meetings, so she wouldn't be in the building alone.

Summer Cleaning:

Carina was given the Board's approval to close the Town offices to the public on Wednesday, June 15th and Thursday June 16th to clean out the attic, storage closets, purge files and reorganize.

2022 Primex Conference:

Carina informed the Board that she will be out of the office on Wednesday and Thursday this week to attend the Primex Annual Conference up at the Mount Washington Hotel.

NEW BUSINESS:

Tax Collector's Abatement Request:

Mt. Coolidge Construction LLC – Woodland Loop Land Only (Map/Lot# 114-080-000-00-00000) for Tax Year 2019-2021

It was brought to the Town's attention the Mt. Coolidge Construction LLC had been assessed at the wrong amounts (\$658,300) for the last three (3) years which is why the taxes had not been paid. The Town's Assessors have subsequently corrected the values from 2019 through 2021.

MOTION: “To grant the abatement for Mt. Coolidge Construction LLC-M/L 114-080 to the amounts of \$237k (2019); \$158k (2020), and \$110k (2021).”

Motion: OJ Robinson

Second: Tamra Ham

All in favor.

Local River Management Advisory Committee Nomination Form:

The Board reviewed and individually completed the nomination form for the Local River Management Advisory Committee.

Uniform ZOOM Meeting Identification Number:

Robinson commented that he had previously discussed getting a uniform Zoom ID number for all Boards to use. Carina expressed concerns over this because in her previous job they had been hacked several times during the actual meeting, and were instructed by their IT Firm to utilize a different identification number every time there was a meeting. Carina suggested each Board possibly having their own Zoom ID, but not one uniform ID for all Boards/Committees to use.

OLD BUSINESS:

Bernice Fairbrother’s Property:

Robinson asked Director Hadaway if he was following up on Ms. Fairbrother’s request to repair the pot hole on Corbeil Lane. Hadaway responded that this has already been taken care of, and he has been working with Ryan Fairbrother (Ms. Fairbrother’s grandson) and Ms. Fairbrother to try come up with the best solution to prevent traffic from driving over her property. Hadaway explained that due to the narrowness of Corbeil Lane, it makes it difficult to come up with a solution because it is such a tight squeeze down this alley roadway.

Kanc Rec Parking Lot:

Robinson asked Director Hadaway how plans were coming along with the Kanc Rec parking lot. Hadaway responded that they will begin cutting trees down on the days that it rains and they cannot paint roads/sidewalks.

Municipal Pass/Solid Waste Sticker:

Selectman Ham commented that if the Board is looking to change the Solid Waste sticker to another type of system, Woodstock must be included in this discussion because this is a joint Solid Waste Facility. Selectman Daly suggested that they leave the Solid Waste sticker as it is, and not change anything, and the Board agreed. Ham still suggested that they have this joint discussion with Woodstock to get their thoughts.

Town Hall Flooring Replacement:

Robinson asked if the revised estimate has been received for the Town Hall floor replacement. Carina explained that the contractor is re-working the estimate to include ripping up the current flooring, and it has not been received as of this date. Daly questioned if this floor replacement job could be done at the same time that Town Hall is closed for cleaning? Carina did not think so because there will be a lot moving boxes and files around.

Additional HVAC Quotes:

Robinson asked Carina if she has obtained any additional HVAC/mechanical systems quotes? Carina explained she has not as of yet, but will be working on this in the coming weeks. Ham commented that HVAC system replacements are going to be costly regardless, because that is the nature of the business.

Route 112 Parking Near the “Moose Sign” near Loon Mountain:

Carina updated the Board on the parking area on Rt. 112 near the Moose Sign, and noted that this area in particular is State owned property and not the Town’s land (the Town abuts this property). There was a brief discussion on possible options to access the river through the town’s land, and the Board agreed it may be worth having a discussion with the State.

Loon Bridge Access to River:

Robinson explained that he reviewed the deed documents and Land Swap Agreement for the Loon Bridge after the reconstruction project, and questioned if the access was only for maintenance purposes and not recreational? Selectman Ham explained that the Town owns the land under the Loon Bridge, and Loon has an easement to use the parking area in perpetuity, and in order to fulfill the grant conditions the Town entered into the Land Swap Agreement. There was a brief discussion about the intent of the deed/easement documents.

Public Participation:

Jim Crispen, the American Legion Commander informed the Board that he would like to utilize the back yard of the American Legion to extend indoor services to the rear outside parking area that will be fenced in. Mr. Crispen explained that the American Legion is hosting their Annual State Convention this weekend, and he has already received approval from the State and is now asking for the same from the Town.

Paul Beaudin commented on the changing of Town Hall’s hours of operation, and recalled when the hours had been extended to accommodate those people who had to work and couldn’t come in until the end of the day. Paul feels that the general public who pays the property taxes should have access to the full services of the Town Hall building, and to at least accommodate extending the hours a few days per week. Paul also noted that there are State Department of Labor laws about mandatory lunches and breaks which serves the employees benefit to step away from their desk.

VI. NON-PUBLIC Session Pursuant to RSA 91-A:3:(III) (c) Personnel

MOTION: “To go into Non-public session pursuant to RSA 91-A:3 (III) (c) Personnel Issue”

Motion: OJ Robinson Second: Tamra Ham All in favor.

The BOS went into Non-public session at 7:00 p.m.

MOTION: “To re-enter public session.”

Motion: Tamra Ham Second: Jack Daly All in favor.

The Board reconvened public session at 7:50 p.m.


VII. ADJOURNMENT

After review of the weekly payables, and with no further business to attend to, the Board made the following motion:

MOTION: “To adjourn.”

Motion: OJ Robinson Second: Tamra Ham All in favor.

The meeting adjourned at 7:50 p.m.


Respectfully Submitted,
Jane Leslie

Approval Date: May 16, 2022


Chairman O.J. Robinson


Tamra Ham


Jack Daly

Please Record and Return to:
Sulloway & Hollis, P.L.L.C.
9 Capitol Street
Concord, NH 03301
Attention: Derek D. Lick, Esq.

Recording Fee: \$
Transfer Tax: N/A
LCHIP Surcharge Fee: N/A

**THE ABOVE SPACE IS FOR THE EXCLUSIVE USE OF THE
GRAFTON COUNTY REGISTRY OF DEEDS
(FOR PLACEMENT OF RECORDING & TRANSFER TAX INFORMATION)**

EASEMENT AGREEMENT

This Agreement is entered into by the **Town of Lincoln, New Hampshire**, a municipal corporation, with an address of 148 Main Street, Lincoln, NH 03251, acting through its Select Board, and **South Peak LLC ("SP Co.")**, a Massachusetts limited liability company with an address of 367 Main Street, Falmouth, MA 02540.

RECITALS

A. The Town and SP Co. entered into a Supplement to South Peak Development Agreement (the "Supplement") in November 2021, and that Supplement is recorded at the Grafton County Registry of Deeds at Book 4683, Page 571.

B. As part of the Supplement, the Town represented that it wished to construct a 750,000 gallon water tank (the "Town Water Tank") on National Forest Service land adjacent to land owned by SP Co.

C. In the Supplement, upon the Town's receipt of all necessary approvals for the Town Water Tank, SP Co. agreed to provide the Town with an easement over a portion of its property "sufficient to provide access for the construction, maintenance and operation of the Town Water Tank on National Forest Land." Specifically, the Supplement provided that "[s]uch easement is expected to be an approximately 15 foot-wide access road, along with provisions for a water main and electrical conduit."

D. Since the execution of the Supplement, the Town has informed SP Co. that the National Forest Service will not consider the Town's request for placement of the Town Water Tank on its property without the Town first having secured an easement from SP Co.

E. To assist the Town with its efforts to attempt to secure rights to construct the Town Water Tank on the National Forest Service land, SP Co. has agreed to provide certain easement rights to the Town, subject to the terms and conditions below.

EASEMENT TERMS

1. Temporary Construction Easement:

A. SP Co. grants to the Town a temporary access and use easement (the “Construction Easement”) over the south-easternmost corner of the parcel identified on the Lincoln Tax Maps as Map 124, Lot 66 in the area identified as follows (“Temporary Easement Area”):

Starting at the westernmost portion of the access road currently serving the Lincoln Water Treatment Plant and continuing 300 feet southwesterly and running parallel to the southern property line of the SP Co. land (as it abuts the National Forest Service land), then turning 90 degrees toward the southern property line of the SP Co. land until it reaches the southern property line of the SP Co. land, continuing along the southern property line for 300 feet and then turning 90 degrees toward the access road to the starting point. **[Precise metes and bounds description to be substituted for the above description once obtained from Horizon’s Engineering. The above description is used solely for discussion purposes to get agreement on the concept.]**

B. The purpose of the Construction Easement is to allow the Town to construct an access road, water main and utilities to service the Town Water Tank being constructed on the National Forest Service land adjacent to the SP Co. land. The Town shall be responsible for the construction of all such improvements at its sole expense, except that SP Co. shall contribute to such construction expenses as provided in the Supplement.

C. The Town shall undertake construction of all such improvements in a manner that will not detrimentally impact the remaining portion of the SP Co. land outside of the Temporary Easement Area. Without limitation and only by way of example, the Town shall ensure that all storm water runoff caused by its constructed improvements is mitigated on the National Forest Service land or within the Temporary Easement Area and it shall ensure that construction activities are conducted during reasonable business hours and in a manner that shall not unreasonably disturb homeowners and guests of the SP Co.’s South Peak development.

D. The Town shall only be entitled to exercise the rights granted hereunder with respect to the Construction Easement once the Town obtains all necessary approvals for the construction of the Town Water Tank and the appeals period for such approvals has expired without appeal.

E. The Construction Easement shall terminate when the improvements on the SP Co. land for the Town Water Tank are complete or November 10, 2023 (the deadline for the Town to construct the Town Water Tank pursuant to the Supplement), whichever occurs first.

2. Permanent Access Easement:

A. Should the Town complete construction of the Town Water Tank on the National Forest Service land and the access road and other improvements on the SP Co. land by November 10, 2023, SP Co. grants to the Town a non-exclusive, perpetual access easement over the SP Co. land, including the right to cross and re-cross by foot or by vehicle, for the sole purpose of accessing the Town Water Tower and maintaining the access road, water main and related utility lines located on the SP Co. land (the "Access Easement").

B. The Town shall be responsible for the preparation of an easement plan depicting the location of the Access Easement area(s), which easement plan shall be subject to SP Co.'s reasonable consent. If the Town fails to record such easement plan with the Grafton County Registry of Deeds by February 10, 2024, the Access Easement shall automatically terminate.

C. The Town shall maintain all of its improvements in a manner that will not detrimentally impact the remaining portion of the SP Co. land outside of the Access Easement area(s). Without limitation and only by way of example, the Town shall ensure that all storm water runoff caused by its constructed improvements is mitigated on the National Forest Service land or within the Access Easement area(s) and it shall ensure that maintenance activities are conducted during reasonable business hours and in a manner that shall not unreasonably disturb homeowners and guests of the SP Co.'s South Peak development.

3. Indemnification: The Town shall hold harmless, indemnify and defend SP Co., from and against any and all claims, damages, liability, cost, or expenses, including without limitation, reasonable attorneys' fees, related to or that may arise from the Town's exercise of the easement rights granted hereunder, the use of and access over SP Co.'s land, and the construction and maintenance of the Town Water Tank and the related improvements.

4. Successors and Assigns: The terms of this Easement Agreement shall constitute covenants and easements running with the land. This Easement Agreement shall bind the parties' successors and assigns.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

South Peak LLC

Date: _____

By: _____
Mark Bogosian
Duly Authorized

Town of Lincoln, New Hampshire

Date: _____

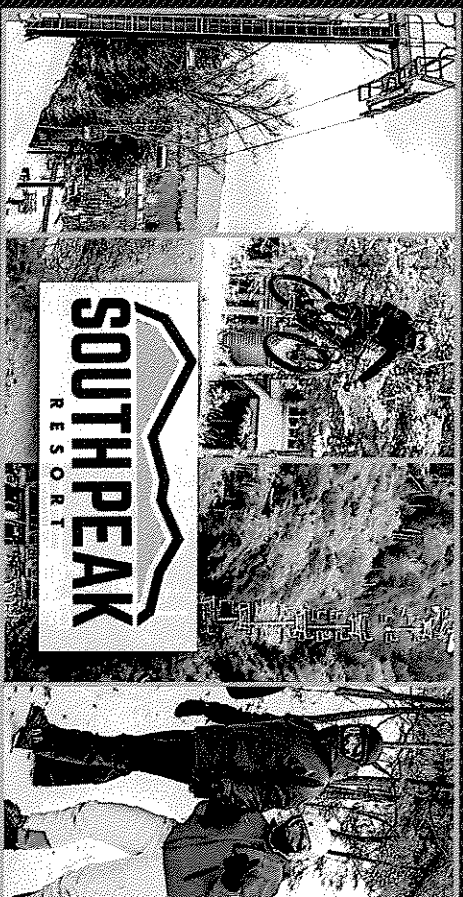
By: _____
O.J. Robinson
Select Board Member

Date: _____

By: _____
Tamra Ham
Select Board Member

Date: _____

By: _____
Jack Daly
Select Board Member



Project Overview

South Peak Resort

Loon Mountain | Lincoln, NH

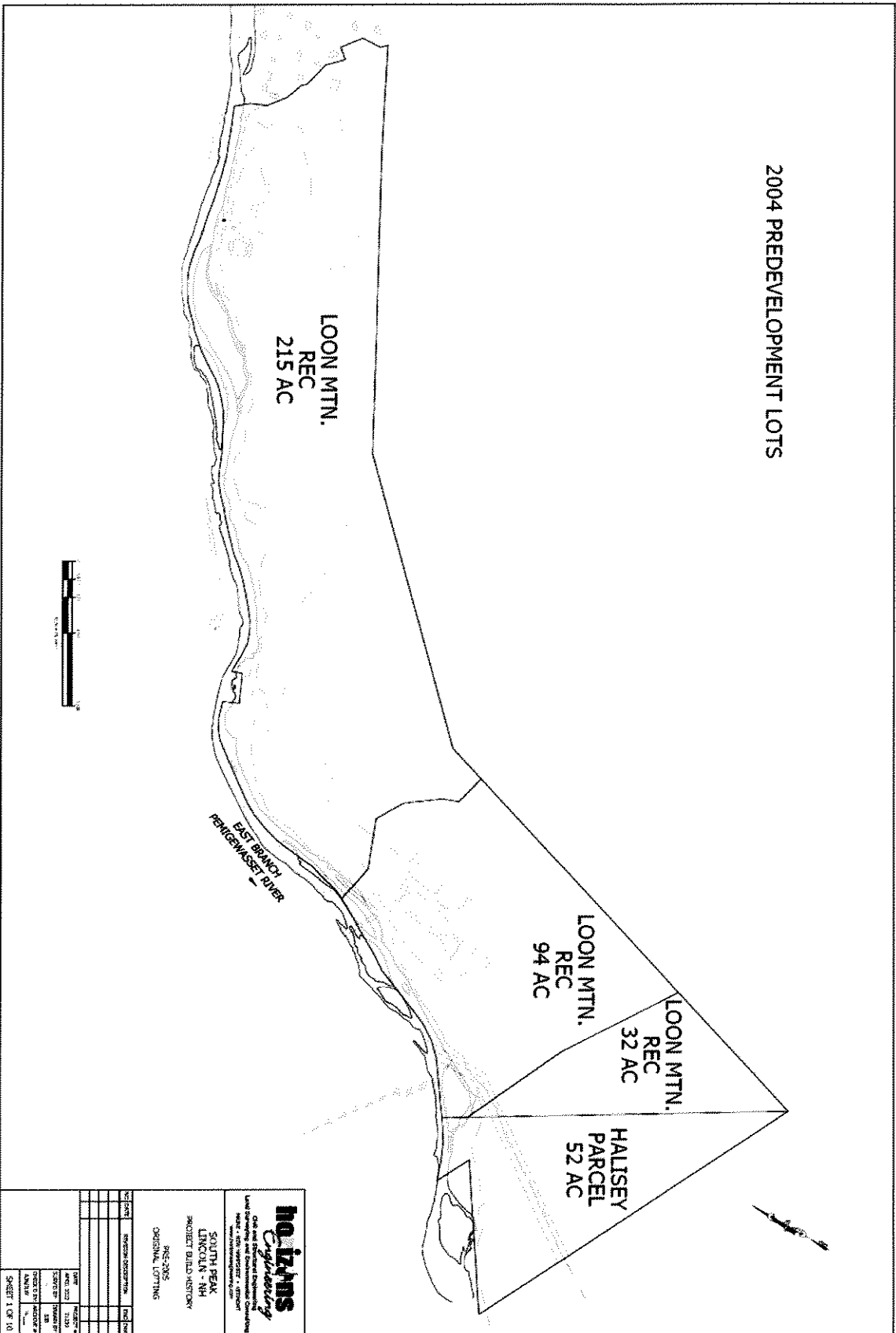
Mark Bogosian

South Peak, LLC – Owner

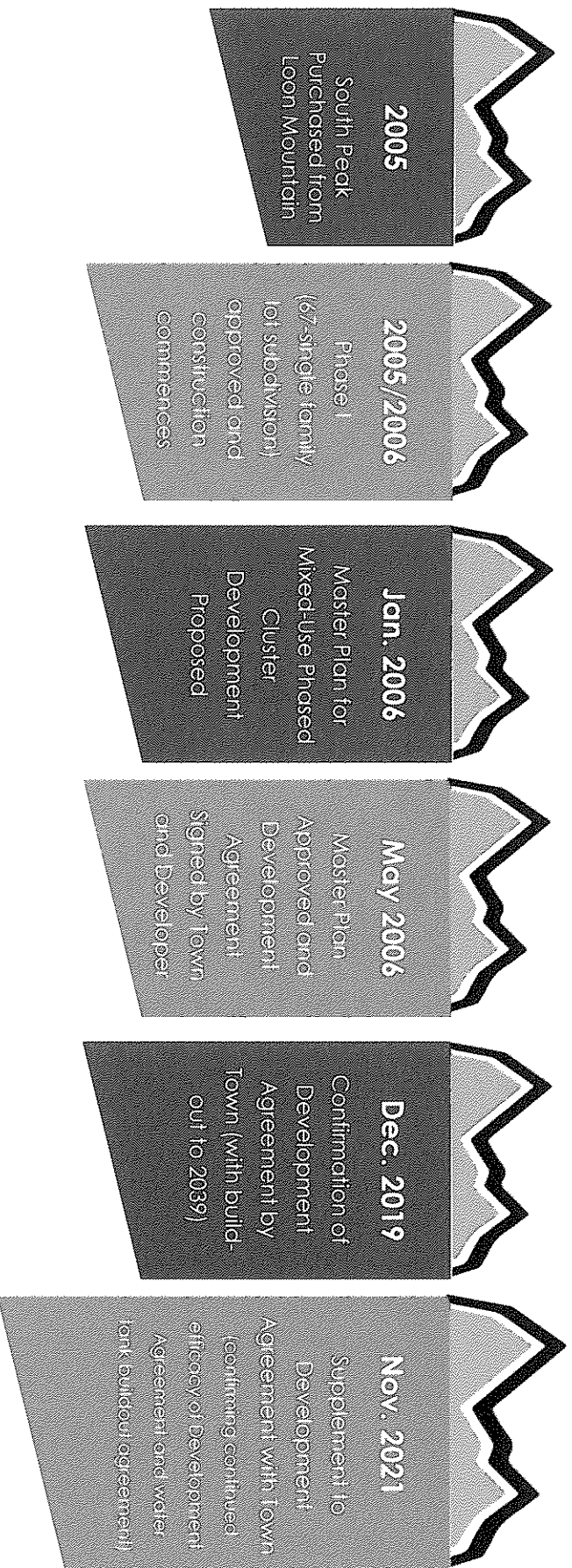
Derek Lick

Sulloway & Hollis – Counsel

2004 PREDEVELOPMENT LOTS



Project Timeline



Master Plan Terms

Two Distinct Phases

The phased development was made up of two distinct areas.

The first area of the project consisted of 67 single family lots, already permitted at the time of the Master Plan approval. These lots have already received local, State, and Federal permitting approvals.

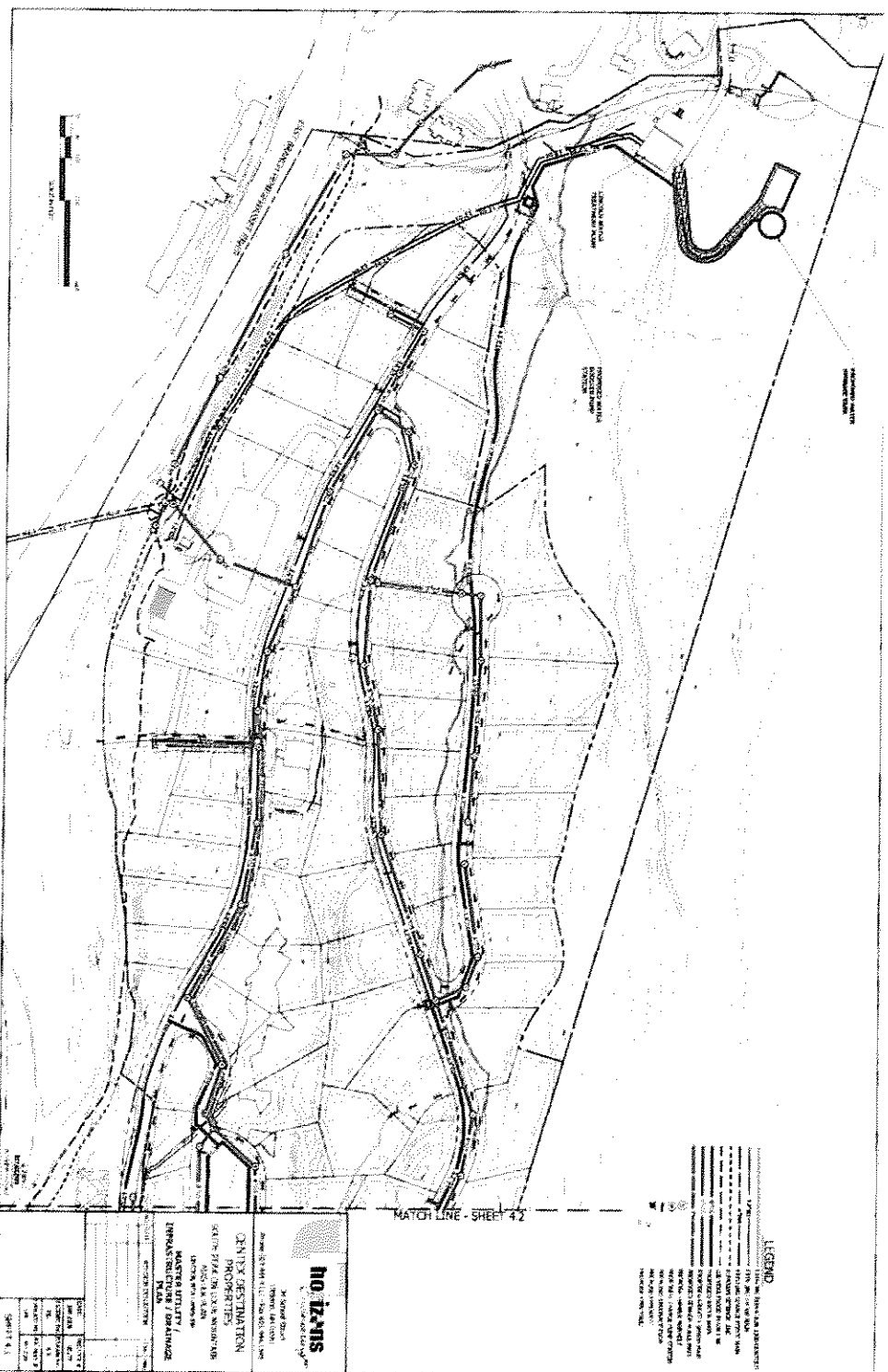
The other area of the phased development is the so-called Phase 2 purchase area. The Phase 2 purchase area is the bulk of the property and was to include a variety of residential/resort units.

Number of Units

*A total of 901 units were initially proposed, but additional property was added and a total of **1018 units were approved.***

[illegible]

• Master Plan Concept Plans •



Master Plan Terms

The Master Plan, as approved, was to contain:

- Condo hotel units
- Resort condominium units
- Additional single family units
- Commercial facilities
- Skier services
- Conference facilities
- Recreational amenities

• Development Agreement With Town •

Development Agreement Recorded at the Grafton County Registry of Deeds August 25, 2006.

016352 08/25/06 032060071
MAY 25 2006
MAY 25 2006

South Peak Resort, Inc.
1000 Highway 100
P.O. Box 100
Lincoln, New Hampshire 03251
Phone: (603) 888-1111

SOUTH PEAK RESORT, INC. (SPEARHEAD)
OF THE TOWN OF LINCOLN
CO. THE TOWN OF LINCOLN, NEW HAMPSHIRE

THE TOWN OF LINCOLN
NEW HAMPSHIRE

Purpose (Page 1)
To confirm the conditional approval of mixed-use cluster development as a "Planned Phased Development" pursuant to Article VI, Section F of the Lincoln Land Use Plan Ordinance, and as authorized by RSA 674:2) and 674:35.

Provides for Maximum Density (Page 2)
The Agreement "is intended to set forth the nature and maximum density of the Project while providing an acceptable degree of flexibility in implementing the anticipated buildout of the Project ..."

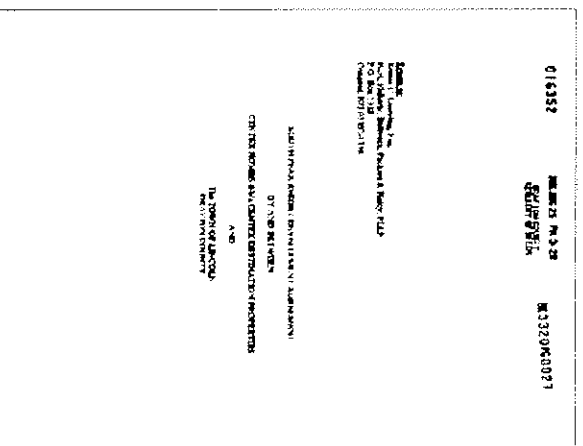
Town of Lincoln - Project Overview



- **Development Agreement With Town**

Development Agreement – Continued

Recorded at the Grafton County Registry of Deeds August 25, 2006.



Vested Rights (Page 2)

The developer obtained the vested rights to develop 1018 units in the development.

The 1018-unit density was calculated at the outset based on total acreage.

Developer Commitments (Pages 2-3)

Committed significant funds in reliance on the Town's agreement for infrastructure improvements including water and sewer improvements, open space and off-site traffic mitigation.

• Development Agreement With Town •

Development Agreement - Continued Recorded at the Grafton County Registry of Deeds August 25, 2006.

016352 08/25/06 832060071
TOWN OF LINCOLN
OFFICE OF THE
TOWN ENGINEER

LOCAL POLICE DEPARTMENT, 100 MAIN STREET
LINCOLN, NEW HAMPSHIRE 03251
OFFICE OF THE TOWN ENGINEER
100 MAIN STREET
LINCOLN, NEW HAMPSHIRE 03251

THE TOWN OF LINCOLN
DOES HEREBY ACKNOWLEDGE AND REPRESENTS THAT THE EXISTING MUNICIPAL WATER
SUPPLY AND SEWAGE TREATMENT FACILITIES HAVE SUFFICIENT CAPACITY TO ADEQUATELY
SERVE THE WATER AND SEWER REQUIREMENTS OF THE PROJECT AT FULL BUILDOUT.






Town Acknowledged Water and Sewer Commitments (Page 3)

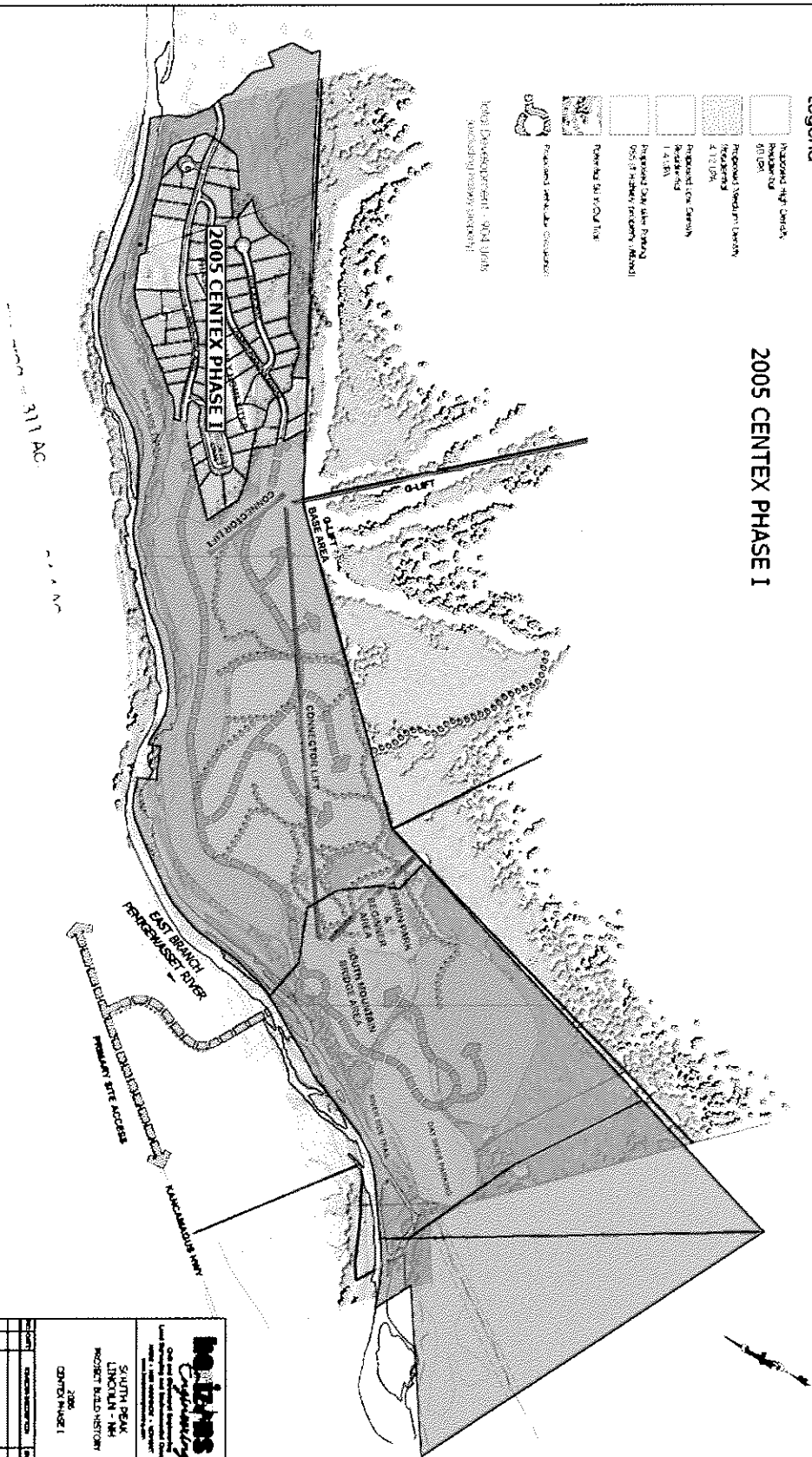
"The Town hereby acknowledges and represents that the existing municipal water supply and sewage treatment facilities have sufficient capacity to adequately serve the water and sewer requirements of the Project at full buildout."

Town Agreed to "No Subsequent Exactions" (Page 4)

"In consideration of the off-site traffic improvements, fire safety contributions, sewer system upgrades and other undertakings by the developer, the Town will not seek or require further additional off-site improvement charges, special assessments, impact fees, exactions, mitigation payments, or other contributions from the developer in connection with the Project as a condition of any subsequent site plan or other Project approval."

Legend

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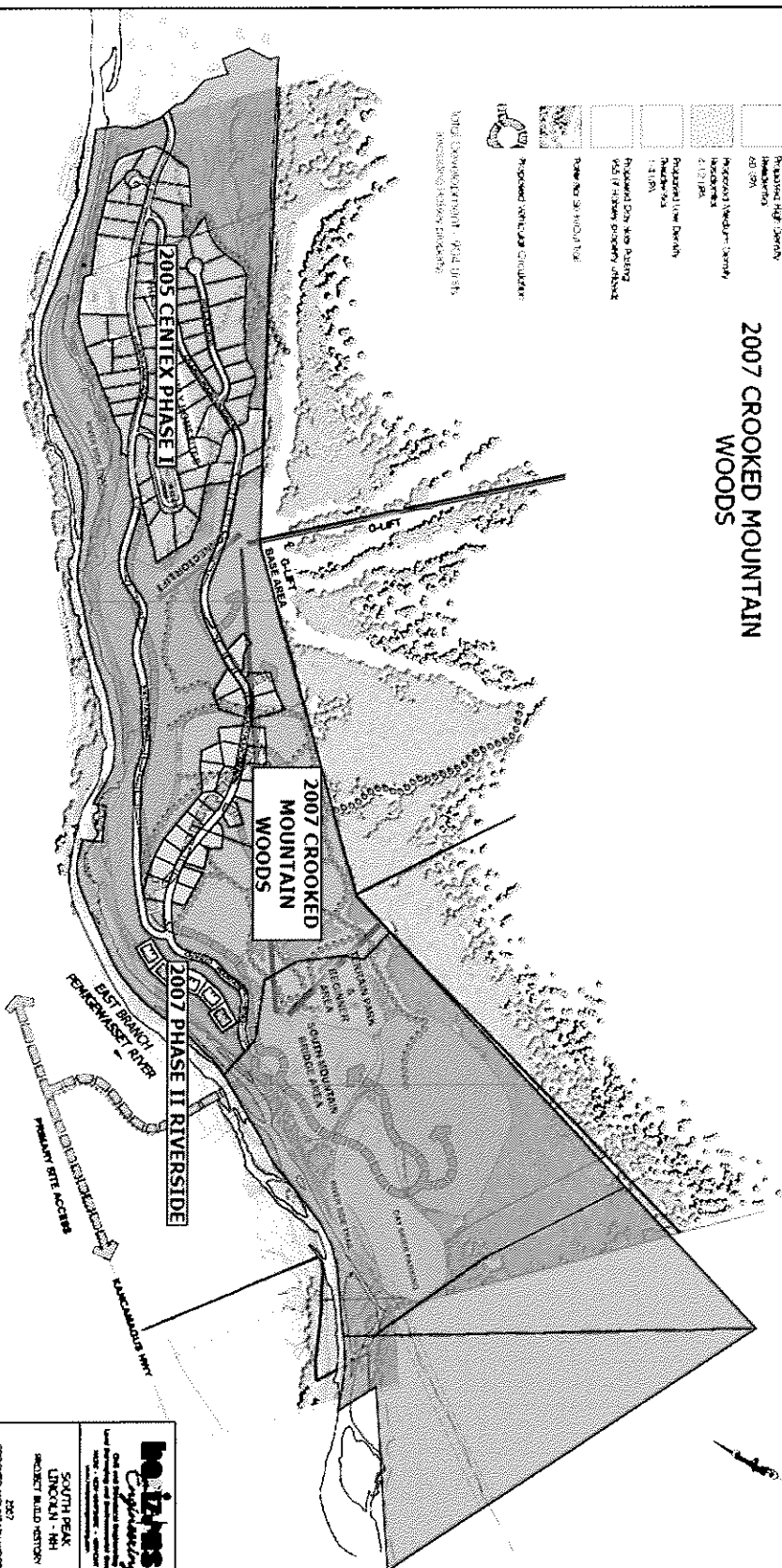
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2007 CROOKED MOUNTAIN WOODS

Legend

- Proposed High Density Residential 25 DUs
- Proposed Medium Density Residential 2-12 DUs
- Proposed Low Density Residential 1-4 DUs
- Proposed Day Use Parking 500-1000 Spaces (Optional)
- Proposed 30' Right of Way
- Proposed Wetland Boundary
- Utility Development - 2010-2015 (Proposed) 1000' Buffer



Hoitz Engineering, Inc.
Civil and Mechanical Engineering
1000 Highway 100, Suite 100
Lincoln, NH 03251
Phone: 603-883-8888 • Fax: 603-883-8889

2007
CROOKED MOUNTAIN WOODS
SOUTH PEAK
LINCOLN - NH
PROJECT FIELD HISTORY

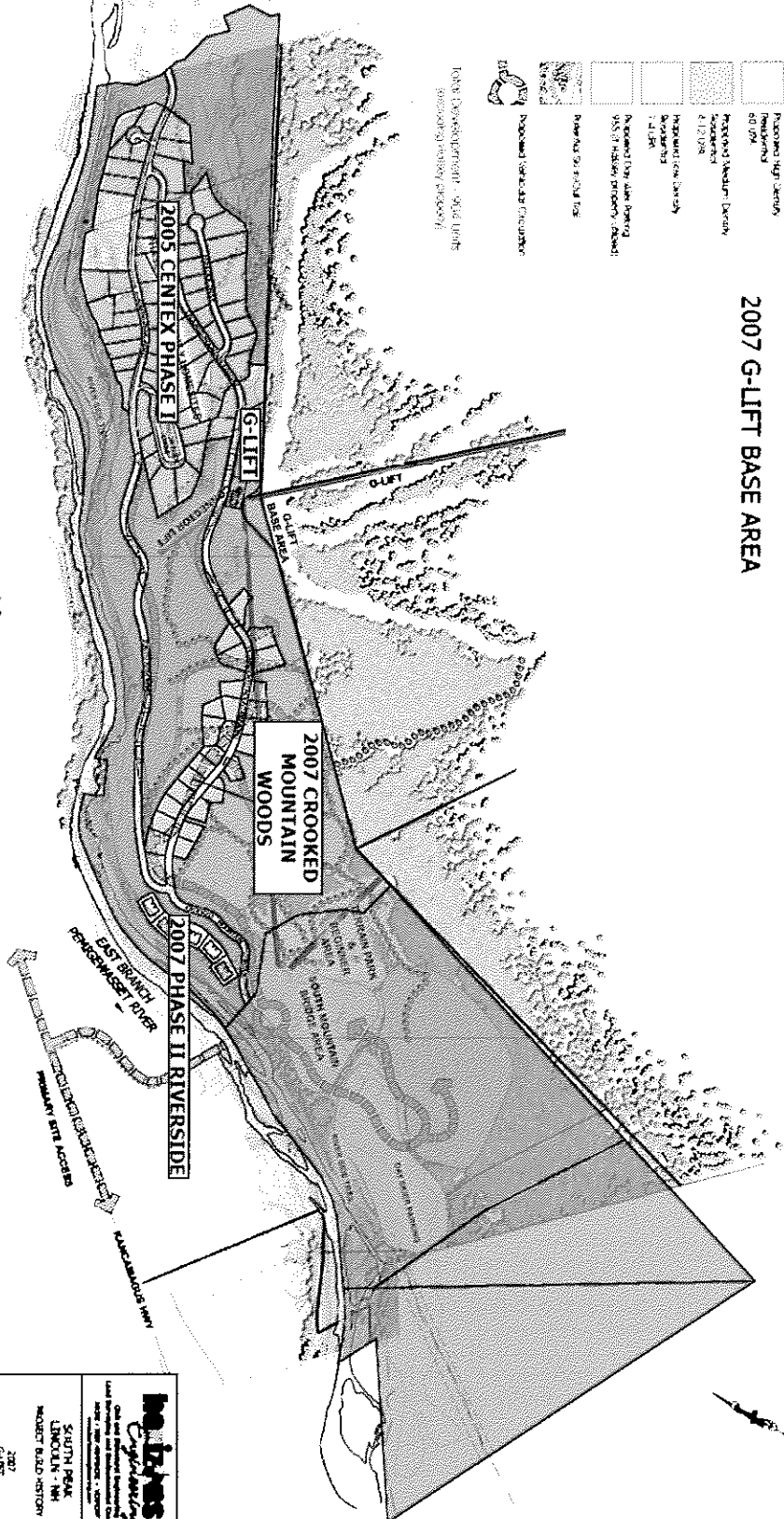
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DATE: 08/01/07
PROJECT: 2007 CROOKED MOUNTAIN WOODS
DRAWN BY: JD
CHECKED BY: JD
SCALE: AS SHOWN
SHEET 5 OF 10



2007 G-LIFT BASE AREA

- 311 AC. 344 AC.



**2007 CROOKED
MOUNTAIN
WOODS**

2007 PHASE II RIVERSIDE

PROBATION SITE ADDRESS

2007
GALST

[illegible]

Legend

- 311 AC. Residential = 34.4 AC.
311 AC. Residential = 34.1 AC.
311 AC. Residential = 34.7 AC.

**2011
MDR
MOUNTAIN
HOMES**










**2007 CROOKED
MOUNTAIN
WOODS**

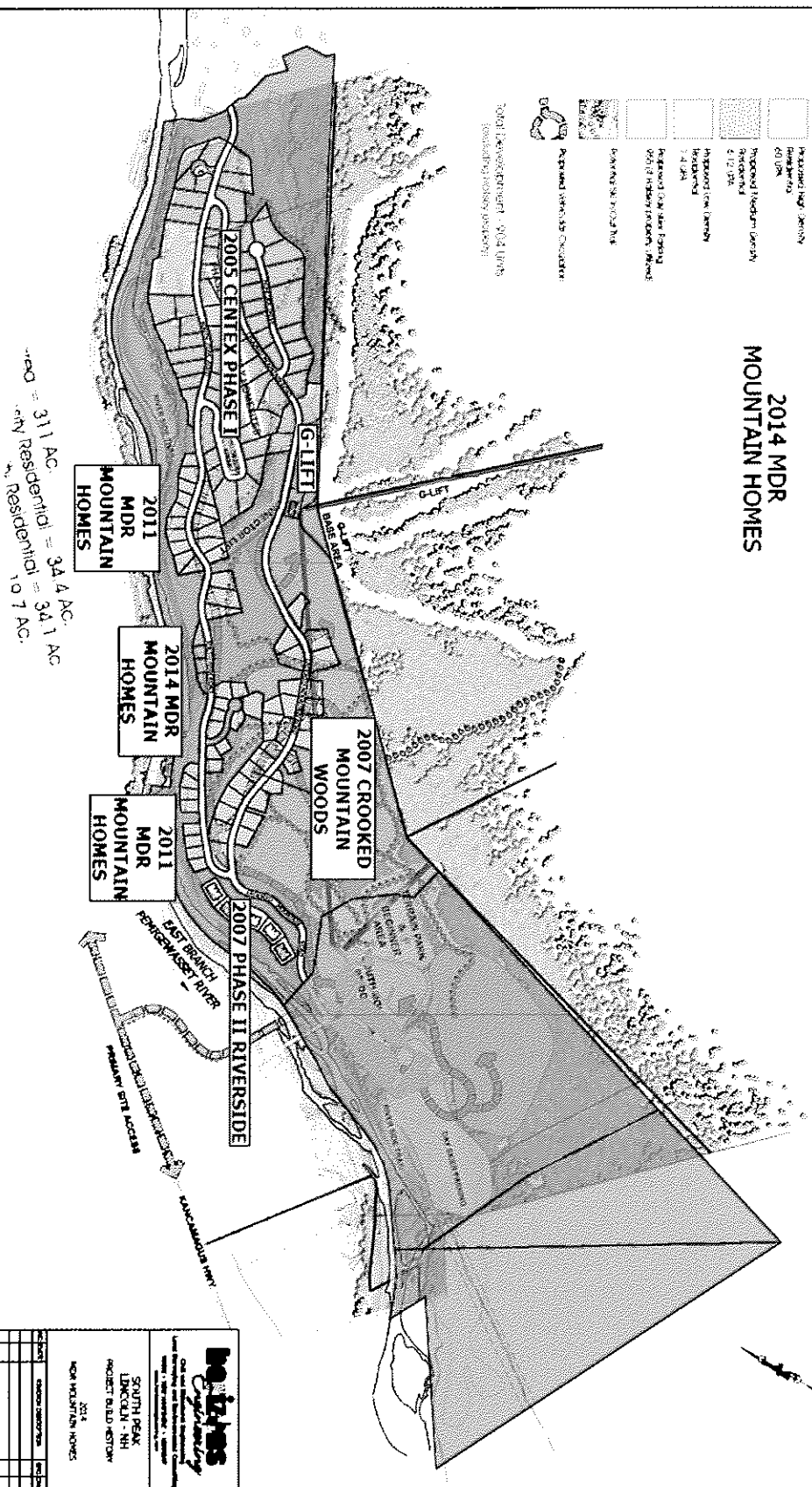
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2007 PHASE II RIVERSIDE

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Legend

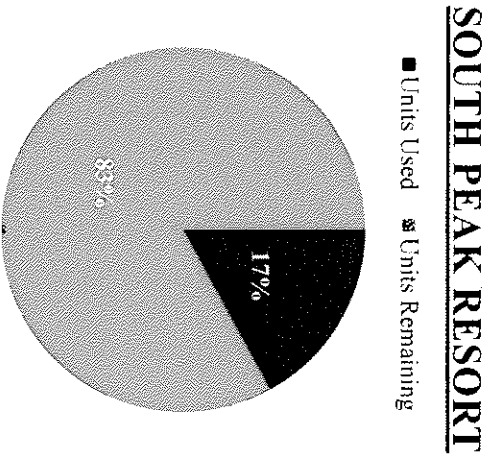
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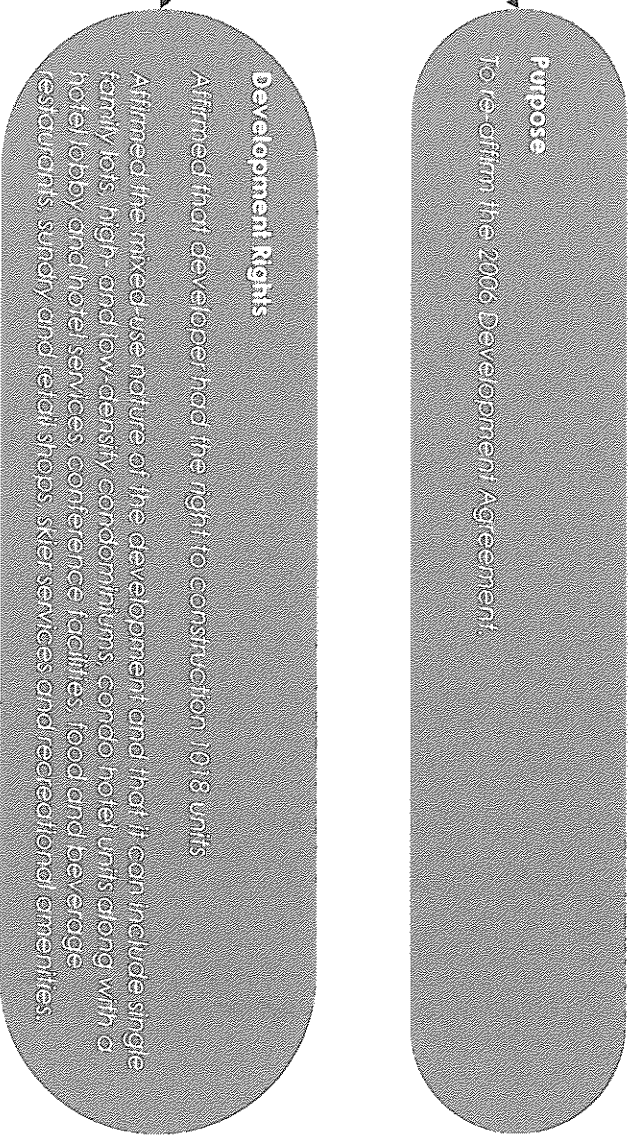
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SOUTH PEAK RESORT	
UNIT TYPE	UNIT COUNT
BUILT CONDOS	40
BUILT HOMES	43
SINGLE FAMILY LOTS SOLD AND READY FOR CONSTRUCTION	16
SINGLE FAMILY LOTS AVAILABLE TO BE SOLD	74
NUMBER OF UNITS USED	173
NUMBER OF THE 1018 APPROVED UNITS STILL AVAILABLE TO BE DEVELOPED IN SOUTH PEAK	845

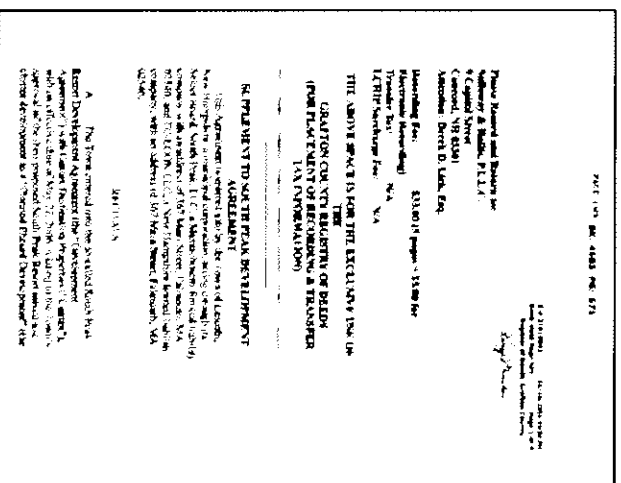
* All data has been taken from the Town of Lincoln, NH GIS Map. For more information, please visit <https://www.aaisds.com/lincoln>



Supplement to Development Agreement
Recorded at the Grafton County Registry of Deeds November 10, 2021.



Supplement to Development Agreement - Continued
Recorded at the Grafton County Registry of Deeds November 10, 2021.



Confirmed Developer Met Obligations

Affirmed that the prior developer had met all of its obligations under the Development Agreement – off site improvements, water, sewer, fire protection etc.

Developer Confirmed Commitment to Building Water Tank

Mark agreed to (a) construct 325,000 water storage tank or (b) to contribute \$1.5 million for the continued cost of the water tank toward the Town's construction of a larger, 750,000 water storage tank and provide an easement to the Town to pass over the corner of the South Peak lot where the development's water tank was to be built.

• Development Agreement With Town •

Supplement to Development Agreement - Continued Recorded at the Grafton County Registry of Deeds November 10, 2021.

Page 1 of 100 DE-6600 PG. 3/21

TO THE TOWN OF LINCOLN, NEW HAMPSHIRE
FROM THE TOWN OF LINCOLN, NEW HAMPSHIRE
RE: SUPPLEMENT TO DEVELOPMENT AGREEMENT

THE TOWN OF LINCOLN, NEW HAMPSHIRE, BY AND THROUGH ITS TOWN CLERK, JAMES E. LEE, DO hereby certify that the foregoing is a true and correct copy of the original as the same appears of record in the Town of Lincoln, New Hampshire.

WITNESSED my hand and the seal of the Town of Lincoln, New Hampshire, this 10th day of November, 2021.

JAMES E. LEE
Town Clerk

THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS THE SAME APPEARS OF RECORD IN THE TOWN OF LINCOLN, NEW HAMPSHIRE.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Lincoln, New Hampshire, this 10th day of November, 2021.

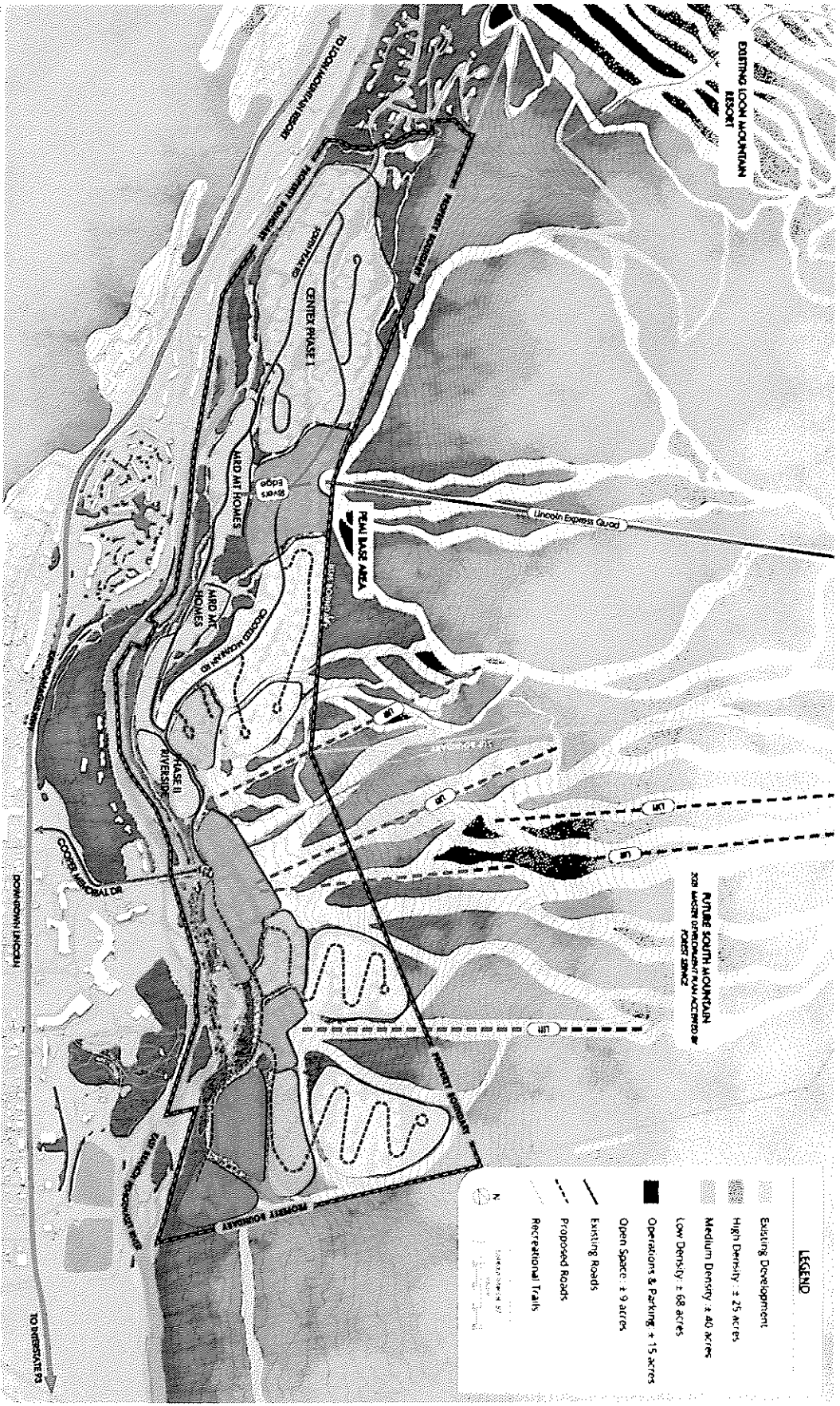
JAMES E. LEE
Town Clerk

Parties Agreed to Plan to Serve the "High Pressure Zone"

Certain parcels of South Peak sit at such an elevation as to potentially experience water pressure problems until the water tank is built.

The Town and Mark agreed to address any water pressure and fire protection issues through the installation of a larger water pump at the booster station and/or installation of a system.





SOUTH PEAK RESORT | MASTER PLAN

SE GROUP
May 2022



• Conclusion •

Working Together To Build a Vibrant Community

- Mark owns a home in South Peak and is committed to the neighborhood's development in a way that serves his family, his neighbors and the Town.
- He is committed to investing the effort and the resources to "do it right."
- He looks forward to working collaboratively with the Select Board, the Planning Board and the Town's engineering consultant to ensure an open line of communication and to try to address whatever concerns may arise.

Thank You

