



PLANNING & ZONING DEPARTMENT

PLANNING BOARD
TOWN OF LINCOLN, NEW HAMPSHIRE

NOTICE OF DECISION – Clarification of Extension

Request for a Second Extension of Site Plan Review Approval GRANTED & Clarified

Case # **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

To: Attorney Mark D. Stiles, Trustee
S&A Offices Realty Trust
P.O. Box 1113
North Marshfield, MA 02059

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

Re: Application for Site Plan Review Approval

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

Former Property Owners:

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

Both lots are in the Village Center (VC) District.

Current Property Owners:

- | | |
|--|---|
| (1) Attorney Mark D. Stiles d/b/a Flow State, LLC
PO Box 1113
North Marshfield, MA 02059-1113 | now owns 155 Main Street (Map 118, lot 065) |
| (2) Attorney Mark D. Stiles d/b/a It's An I-M, LLC
PO Box 1113
North Marshfield, MA 02059-1113 | now owns 153 Main Street (Map 118, Lot 064) |

Agent/Surveyor/Engineer:

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

Applicant/now owner & former property owners were represented by agent.

Property: (1) 155 Main Street (Map 118, lot 065), Lincoln, New Hampshire
(2) 153 Main Street (Map 118, Lot 064), Lincoln New Hampshire
Both properties are located in the Village Center (VC) Zoning District.

Initial Project:

The initial Site Plan Review project includes:

1. Voluntary merger of two (2) adjacent lots,
2. Demolition of two (2) buildings (one on each of the adjacent lots); and
3. 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:
 - a. Retail and residential uses:
 - i. Three (3) commercial units totaling two-thousand-four-hundred-sixty square feet (2,460 SF) are proposed on the ground level;
 - ii. Three (3) apartment units on 2nd level; and
 - iii. Three (3) apartment units on 3rd floor.

History:

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.**

Request for an Extension Granted:

On October 27, 2021 the Planning Board granted an extension to January 13, 2023.

Earlier Decision to Grant a Second Extension with Condition, Clarified:

On January 4, 2023, at the Applicant's request, the Planning Board voted to grant an extension for the Site Plan approval for one year to January 13, 2024, with the condition that when Mr. Stiles comes in for Site Plan Review for a new project the original approval is no longer valid.

On April 12, 2023, the Planning Board voted to clarify the language used in their decision to grant a second extension. The original Site Plan Review Approval for the original project was approved on January 13, 2021, The Site Plan Review approval was extended twice:

- (1) On October 27, 2021 it was extended to January 13, 2023; and
- (2) On January 4, 2023 it was extended to January 13, 2024.

That original Site Plan Review Approval will stay in effect until either it expires, or until a new Site Plan Review Approval is granted with the original Site Plan Review approval to be rescinded at that time.

FOR THE PLANNING BOARD


James Spanos
Planning Board Chair

Approved: April 12, 2023
Date

Rationale:

Applicant Stiles' Site Plan Review approval was in effect until January 13, 2022, but he wanted to extend his approval out another year and possibly change the plan in the interim. Applicant Stiles requested an extension to allow him to analyze of the approved project as lumber costs come down and the supply chain loosens up. (Problems caused by the COVID-19 pandemic.)

Interim Project Does Not Require Site Plan Review Approval:

Applicant Stiles developed an "Interim Plan" to downsize the approved project by putting a residential unit on the second floor of 155 Main St. to help stabilize the building and to "keep things moving in the right direction". He asked the Planning Board if he needed Site Plan Review approval to go forward with his "Interim Plan".

Planning Board determined:

1. The proposed "interim use" for 155 Main Street would not cause any parking issues and is a much less intensive use than the proposed new larger building's mixed use with Site Plan Review approval.
2. 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.
3. Applicant Stiles shall come in once a year for an extension of the Site Plan Review approval.
4. If Applicant Stiles changes his mind about the type of project he wants to do, he shall come in for a modification of the Site Plan Review plan.
5. In the meantime, Applicant Stiles has permission to use the existing building for (1) Business Use of "Retail, Consumer Service, ... or other business nonindustrial use which does not qualify as a Home Business" on the first floor and (2) A residential apartment on the second floor.
6. Applicant Stiles does not need to come back for a second Site Plan Review approval for the proposed interim use, but would require a Land Use Authorization Permit to add bedrooms and fixtures that use water and sewer services.
7. At this time the property of 153 Main Street will be left as it is right now.

Decision:

On October 27, 2021 at the Applicant's request, the Planning Board voted to grant an extension to January 13, 2023.

On April 12, 2023, the Applicant came before the Planning Board for a new "Conceptual" with a new idea to replace the house at 155 Main Street with four stacked shipping containers.