



PLANNING & ZONING DEPARTMENT

PLANNING BOARD AGENDA

PLANNING BOARD 2ND MONTHLY MEETING &

WEDNESDAY, February 8, 2023 – 6:00 PM

Planning Board Public Meeting

*Lincoln Town Hall, 148 Main Street, Lincoln NH

*Hybrid meeting available both in person with social distancing & via Zoom Meeting Platform to allow for town wide participation. A quorum of the Planning Board member must be physically present at the meeting. Although there is space in the large conference room for 8-12 guests in addition to the Board members with social distancing, the public is encouraged to participate remotely using ZOOM.

Join Zoom Meeting

<https://us02web.zoom.us/j/81700766161?pwd=WUFKR2N1Zk9xSzI1bVFPRWVzbyt4UT09>

Meeting ID: 817 0076 6161

Passcode: 179696

Find your local number: <https://us02web.zoom.us/j/81700766161?pwd=WUFKR2N1Zk9xSzI1bVFPRWVzbyt4UT09>

Or dial by your location 1-929-205-6099 US (New York)

(See also town website www.lincolnnh.org for same link, meeting ID and passcode.)

I. CALL TO ORDER by the Chairman of Planning Board (PB); announcement of excused absences, if any, and seating of alternates(s), if necessary.

II. CONSIDERATION of meeting minutes from:

- January 25, 2023 (Wednesday)**

- Chairman James Spanos, Vice Chairman Joe Chenard, Selectmen's Representative OJ Robinson, Member Stephen Noseworthy, Member Paul Beaudin (via Zoom).

III. 6:00 PM CONTINUING AND OTHER BUSINESS (Staff and Planning Board Member/Alternates).

- A. #CON 2022-25 M121 L050 – Mark Bogosian d/b/a South Peak, LLC & NH Restaurant Group, LLC – Pemi Base Camp at 75 Crooked Mountain Road – outdoor bar in a storage container on the deck and outdoor seating without Site Plan Review approval**
- B. #C&V 2023-02 M121 L050 – Mark Bogosian d/b/a South Peak, LLC & NH Restaurant Group, LLC – Pemi Base Camp at 75 Crooked Mountain Road – outdoor bar in a storage container on the deck and outdoor seating without Site Plan Review approval after being advised by PB to get approval.**

In 2004, the Planning Board granted Site Plan Review approval to erect the Pemi Base Camp which was limited to 176 seats.

In 2007, a Building Permit was issued for Loon Mountain Recreation Corporation to erect a 40'X101' temporary fabric structure for 176 seats to serve as a temporary ski base lodge facility for the South Peak expansion area (for Loon Mountain Ski Area) until a more substantial ski base lodge could be constructed.

Over time, the number of people served at the Pemi Base Camp restaurant may have exceeded the 176 seats. Furthermore, the seating expanded to include outdoor seating without Site Plan Review approval.

This winter season, services provided by the Pemi Base Camp restaurant was expanded when a storage container was placed on the deck and used to serve drinks and provide food for outdoor seating without Site Plan Review approval.

Occupancy permits from the Fire Chiefs at the time and subsequently, state liquor permits were issued for well in excess of 200 people.

In 2021, Mark Bogosian d/b/a South Peak, LLC purchased the property and then took over the operation of the Pemi Base Camp d/b/a NH Restaurant Group, LLC. Mr. Bogosian said he intended to continue the same scale of operation as before with some improvements.

At some point between 2007 and the present, the restaurant operation at the Pemi Base Camp expanded to include outdoor seating without Site Plan Review approval.

However, the Town and Bogosian recently discovered there was no Site Plan Review approval for any additional indoor seating or the outdoor seating. Furthermore, there was no Site Plan Review approval for the new bar in the storage container on the deck.

Due to the short notice and short ski season, on January 4, 2023, Mark Bogosian requested approval to continue to operate the expanded facility for this ski season (2022-2023) and then apply for Site Plan Review approval for the expansion to continue the outdoor seating operation at the Pemi Base Camp in the temporary fabric building for the next couple of years to until he is ready to build a proper base camp as well as the storage container bar on the outdoor deck. This request was not granted.

On January 4, 2023, the Planning Board discussed the unpermitted expansion at the Pemi-Base Camp to include (1) outdoor seating and (2) the addition of the container unit on the deck. Upon the Planning Board's request, Mark Bogosian expressed his willingness to submit an application for Site Plan Review. As of February 3, 2023, no application for an expansion has been submitted and the unpermitted expansion has continued. Bogosian is in violation of the 2004 Site Plan Review approval.

The Planning Board will discuss possible action to address this matter.

IV. NEW BUSINESS

None.

- V. 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.

VI. ADJOURNMENT