



# PLANNING & ZONING DEPARTMENT

## PLANNING BOARD AGENDA

### PLANNING BOARD 2<sup>ND</sup> MONTHLY MEETING & PUBLIC HEARING

**WEDNESDAY**, June 14, 2023 – 6:00 PM

Planning Board Public Meeting

\*Lincoln Town Hall, 148 Main Street, Lincoln NH

\*Hybrid meeting available both in person & 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, 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/u/kblNuPaMIG>

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

(See also town website [www.lincolnnh.org](http://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.

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**II. CONSIDERATION** of meeting minutes from:

- **May 10, 2023 (Wednesday)**

- Chairman James Spanos, Vice Chairman Joe Chenard, Selectmen's Representative OJ Robinson, Member Stephen Noseworthy, Member Paul Beaudin, Alternate Danielle Black.

- **May 24, 2023 (Wednesday)**

- Chairman James Spanos, Vice Chairman Joe Chenard, Selectmen's Representative OJ Robinson, Member Stephen Noseworthy, Member Paul Beaudin, Alternate Danielle Black.

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

**Mark BOGOSIAN:**

**A. SUB 2023-03 M118 L039+S Peak LLC + FC-Loon LLC – Crooked Mountain Road 8 lots (CMR8) – Subdivision Application – CMR8 (8)**

Notice is hereby given in accordance with RSA 676:4 that one (1) **Application for Subdivision** will be submitted to the Planning Board during a regular meeting on Wednesday June 14, 2023 at 6:00 PM.

**Applicant:** Mark Bogosian  
367 Main Street  
Falmouth, MA NH 03561

**Property Owner:** (1) Mark Bogosian d/b/a FC-Loon, LLC  
367 Main Street  
Falmouth, MA 02540

(2) Mark Bogosian d/b/a South Peak, LLC  
367 Main Street  
Falmouth, MA 02540

**Authorized Agent:** Scott P. Miccile, P.E., Civil Engineering & Land Development Director  
Longfellow Design Build, Inc.  
367 Main Street  
Falmouth, MA 02540

**Surveyor:** Andrew J. Nadeau, L.L.S.  
Horizons Engineering, Inc.  
34 School Street  
Littleton, NH 03561

**Properties (8) are all within South Peak Resort and in the General Use (GU) District:**

1. **Map 118, Lot 039** (South Peak Road) owned by Mark Bogosian d/b/a South Peak, LLC (95.71 Ac).
2. **Map 121, Lot 051** (Crooked Mountain Road #114) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.48 Ac).
3. **Map 118, Lot 022** (Crooked Mountain Road #115) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.57 Ac).
4. **Map 118, Lot 021** (Crooked Mountain Road #116) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.66 Ac).
5. **Map 118, Lot 023** (Crooked Mountain Road #117) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.37 Ac).
6. **Map 118, Lot 024** (Crooked Mountain Road #118) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.41 Ac).
7. **Map 118, Lot 025** (Crooked Mountain Road #119) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.35 Ac).
8. **Map 118, Lot 026** (Crooked Mountain Road #120) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.54 Ac).

**Proposal:** A total of eight (8) new lots will be created along existing road frontage. Seven (7) existing lots along this frontage approved in 2007 will be merged with remaining land of Map 118 Lot 39 and re-subdivided with new configurations. Infrastructure improvements to these lots such as extension of municipal water & sewer lines & extension of utilities will not be required as such infrastructure is already in place.

**Application for Subdivision:**

**Proposes to divide portions of the (8) lots listed above in one (1) eight (8) lot subdivision:**

1. **Map 118, Lot 039** (South Peak Road) owned by Mark Bogosian d/b/a South Peak, LLC, (95.71 Ac).
2. **Map 121, Lot 051** (Crooked Mountain Road #114) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.48 Ac).
3. **Map 118, Lot 022** (Crooked Mountain Road #115) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.57 Ac).
4. **Map 118, Lot 021** (Crooked Mountain Road #116) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.66 Ac).
5. **Map 118, Lot 023** (Crooked Mountain Road #117) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.37 Ac).
6. **Map 118, Lot 024** (Crooked Mountain Road #118) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.41 Ac).
7. **Map 118, Lot 025** (Crooked Mountain Road #119) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.35 Ac).
8. **Map 118, Lot 026** (Crooked Mountain Road #120) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.54 Ac).

**Eight (8) new lots created on Crooked Mountain Road to be as follows:**

1. **Map 118, Lot 039.20** (0.40 Acres)

2. **Map 118, Lot 039.21** (0.39 Acres)
3. **Map 118, Lot 039.22** (0.49 Acres)
4. **Map 118, Lot 039.23** (0.51 Acres)
5. **Map 118, Lot 039.24** (0.27 Acres)
6. **Map 118, Lot 039.25** (0.25 Acres)
7. **Map 118, Lot 039.26** (0.32 Acres)
8. **Map 121, Lot 051** (0.64 Acres)

***NOTE: Minimum Lot Size in General Use (GU) District is 15,000 SF or 0.344 Acres. 3 proposed lots are less than the minimum lot size.***

The noticed April 12, 2023 public hearing was continued to the next scheduled Planning Board meeting on May 10, 2023. The May 10, 2023 public hearing was continued to June 14, 2023.

**The Applicant has asked to have the June 14, 2023 continued to June 28, 2023, at which time the Planning Board invites the Board of Selectmen to attend so both boards will hear Applicant's presentation about the proposed amended Master Plan for South Peak Resort.**

In addition, the Applicant will move forward with their presentation of the proposed eight (8) lot subdivision at that time.

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### **III. NEW BUSINESS**

#### **A. Conceptual:**

**CON 2023-07 M117 L120000-01-00006 Herman Pfeuti d/b/a HGP Holdings LLC, PO Box 114, Lincoln, NH 03251-0114** – Add Food & Drink Retail Market Space to front section of existing Aloto Gelato store to tide Gelato store over during the winter months. No additional space will be created. He will be changing restaurant use to combination of restaurant use and retail use. There would be little or no additional traffic generated by his business.

**Does he need Site Plan Review Approval for a change in use?**

**If so, can he request a waiver of Site Plan Review for changing a portion (about 1/3) of the restaurant use to combination of restaurant use and retail use?**

#### **B. Conceptual:**

**CON 2023-08**

- **M109 L003 Bonnie Ham – US Route 3 #LO (Land Only)**
- **M109 L003000-BG-000 Bonnie Ham d/b/a Sunny Day Diner, LLC – 92 US Route 3 (Building Only)**

Bonnie Ham owns the land. She now owns the diner building as well, formerly owned by Sunny Day Diner, LLC. The diner is now owned by Bonnie Ham d/b/a Sunny Day Diner, LLC. Currently, Ham is operating the diner as Arnold's Wayside Diner. In the spring of 2020, during COVID, Town Manager gave Ham permission to build a roof over the existing deck to accommodate outdoor seating during COVID. She extended the deck and the roof over the deck. The extended deck and the roof cover are located in the Shoreland Protection

Area. The extended deck and the roof cover are also located in the 100-year flood plain.

Now Ham is looking to enclose the porch space with “temporary removable walls” so she can serve those same tables and chairs located on the deck during the winter months.

1. Does she need Site Plan Review approval for this expansion?

**C. Review: Pemi Base Camp:**

**SPR 2022-20 M121 L050 South Peak LLC (Mark Bogosian d/b/a) & Loon Mountain Recreation Corporation (Brian Norton, President and General Manager)** – Do changes to the Pemi Base Camp since the 2004 approval for Pemi Base Camp Ski Warming Hut in South Peak by the Planning Board amount to what would be considered “a substantial change or expansion of use” such that the Pemi Base Camp needs another Site Plan Review approval? Review answer from Loon President & General Manager Brian Norton.

**D. Complaint/Inquiry:**

**SPR 2020-15 M118 L064 & L065 Mark Stiles d/b/a Flow State, LLC, & It’s An I-M, LLC, PO Box 1113, North Marshfield, MA 02059-1113 – Put container unit building on 153 Main Street (Map 118, Lot 064) to store it for less than 180 days.**

**Does he need Site Plan Review Approval for a change in Site Plan?**

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- 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.

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**VI. ADJOURNMENT**