



PLANNING & ZONING DEPARTMENT

PLANNING BOARD AGENDA

PLANNING BOARD 2ND MONTHLY MEETING & PUBLIC HEARING

Wednesday, October 25, 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 Planning Board members 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 welcome to participate remotely using ZOOM. Planning Board Meetings can be attended in-person at the Town Hall Building. Recordings of all Planning Board meetings can be found at www.youtube.com (Lincoln NH Planning Board Meeting 10-25-2023). Zoom access is for your convenience; use at your own risk. If any technical difficulties or if ZOOM should go down, the meeting will NOT be rescheduled.

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 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:

- **September 27, 2023 (Wednesday)**

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

- **October 11, 2023 (Wednesday)**

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

IV. NEW BUSINESS

A. Kurt O'Connell d/b/a O'Connell Builders, LLC:

O'Connell Buildings, LLC made an offer to the Town of Lincoln Board of Selectmen to purchase one lot and to purchase a Right of First Refusal on a second lot, both lots in the "Lincoln Business Park" a/k/a "Lincoln Industrial Park".

1. Applicant:

Kurt O'Connell d/b/a
O'Connell Builders, LLC
6 East Side Road
Woodstock, NH 03262

2. **Property Owner:** Town of Lincoln
148 Main Street
PO Box 25
Lincoln, NH 03251-0025

3. **Property:**

- a. Parcel known as “Lot 2” in the Lincoln Business Park (a/k/a Lincoln Industrial Park) with an address of “Arthur Salem Way Lot #2” (Tax Map 109, Lot 018) (0.47 Acres) located in the Small Business District (SBD); and
- b. Parcel known as “Lot 4” in the Lincoln Business Park (a/k/a Lincoln Industrial Park) with an address of “Arthur Salem Way Lot #4” (Tax Map 109, Lot 019) (0.36 Acres) located in the Small Business District (SBD).

Project:

On October 13, 2023, Board of Selectmen received an offer to purchase:

1. **Parcel** known as “Lot 2” in the Lincoln Business Park (a/k/a Lincoln Industrial Park) with an address of “Arthur Salem Way Lot #2” (Tax Map 109, Lot 018) (0.47 Acres) located in the Small Business District (SBD); and
2. **Recorded Right of First Refusal to Purchase** second parcel (abutting “Lot 2”), known as “Lot 4” (Tax Map 109, Lot 019) in the Lincoln Business Park (a/k/a Lincoln Industrial Park) with an address of “Arthur Salem Way Lot #4” (Tax Map 109, Lot 019) (0.36 Acres) located in the Small Business District (SBD).

Applicable Laws:

Per NH RSA 41:14-a Acquisition or Sale of Land, Buildings, or Both:

“The Selectmen shall have the authority to acquire or sell land, buildings or both; provided, however, they shall first submit any such proposed acquisition or sale to the Planning Board and to the Conservation Commission for review and recommendation by those bodies, where a board or commission or both, exist.”

Planning Board will hold a public hearing on Wednesday, October 25, 2023 at 6:00 PM to make a recommendation to the Board of Selectmen about the proposed sale.

After receiving the recommendation from the Planning Board and prior to voting on the proposed sale, the Board of Selectmen is required to hold two (2) public hearings at least 10 days but not more than 14 days apart.
(See NH RSA 41:14-a.)

In accordance with **RSA 41:14 – Acquisition or Sale of Land, Buildings, or Both**” the Board of Selectmen will hold Two (2) Public Hearings on:

1. Monday, November 6, 2023, 5:30 PM; and
2. Monday, November 20, 2023, 5:30 PM.

After receiving input from Public Hearings, the Board of Selectmen will vote on whether to accept the offer and sell the property.

B. Conceptual – CON 2023-15 M118 L078 Douglas & Edna P. Hayward (property owners) & Edson J. Pereira and Wendal P. Lima d/b/a Nachos Mexican Grille (“Investors”)

Douglas G. Hayward & Edna P. Hayward (a/k/a Edna Rosa Hayward) own 179 Main Street (Map 118, Lot 078). On the front portion of the lot is a mixed-use building with one (1) three (3) bedroom apartment upstairs and a restaurant downstairs known as Nachos Mexican Grille Restaurant. There is a large porch that wraps around the front and along one (1) the northeast side of the bottom floor with eight (8) outdoor tables and approximately four (4) chairs per table for a total of approximately thirty-two (32) outdoor seats. The rear of the lot has a gravel parking area. The applicants want to enclose some or a portion of the porches and serve people in those areas throughout the winter months.

1. **Property Owners: Douglas G. Hayward & Edna P. Hayward (a/k/a Edna Rosa Hayward)**
PO Box 7763
North Port, FL 34290-7763

2. **Applicants/“Investors”:**
Edson J. Pereira d/b/a
Garra Plastering, Inc.
9 Bagnall Ave
Saugus, MA 01906

Wendal P. Lima d/b/a
Garra Plastering, Inc.
9 Bagnall Ave
Saugus, MA 01906

3. **Subject Parcel:** **179 Main Street (Map 118 Lot 079) (0.31 Acres)**
General Use (GU) District. Minimum setbacks are fifteen feet (15’)
from the front, sides and rear property boundary lines

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

A. Review Possible Amendments to Zoning Ordinance (Land Use Plan Ordinance [LUPO]) including but not limited to changing the characteristics of the General Use (GU) District in different parts of Town.

1. General Use (GU) District

- i.** Along portions of Connector Road & US Route 3/Daniel Webster Highway & Liberty Road
- ii.** Along southwest end of Lincoln Village along Main Street/NH Route 112/Kancamagus Highway
- iii.** Along northeast end of Lincoln Village along both sides of Main Street/NH Route 112/Kancamagus Highway as far east as Loon Village.
- iv.** Along both sides of East Branch Pemigewasset River.

B. 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? Planning Board voted “yes” (3-2). Review files and response from Attorney for Loon President & General Manager Brian Norton.

VI. 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.

VII. ADJOURNMENT.