



PLANNING & ZONING DEPARTMENT

PLANNING BOARD AGENDA PLANNING BOARD 1ST MONTHLY MEETING & PUBLIC HEARING

Wednesday, January 10, 2024 – 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 01-10-2024). 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/kblNuPaMlG>

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:

- December 13, 2023 (Wednesday)**

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

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

A. 1st PUBLIC HEARING ON PROPOSED CHANGES TO ZONING ORDINANCE

[2nd Public Hearing, if required: Wed., January 24, 2023, at 6:00 PM]

on the following proposed zoning amendments:

Full text of proposed amendments is on file at the Town Offices open M-F 8 AM – 4:00 PM.

Proposed Amendments to Zoning Ordinance (Land Use Plan Ordinance [LUPO]) including:

- 1. Create 2 General Use (GU) Districts** by changing the characteristics of the General Use (GU) District in different parts of Town:

a. General Use Downtown

Along both ends of Lincoln Village along Main Street/NH Route 112/Kancamagus Highway and along both sides of East Branch Pemigewasset River.

- 1) **Business Uses** like (a) Manufactured Housing Park, (b) Motor Vehicle Sales & Service & (c) Gas/Fuel Sale & Storage are permitted by Special Exception.

- 2) **Industrial Uses** like (a) Earth, Gravel & Stone Removal, & (b) Manufacturing Other than a Home Business are permitted by Special Exception.
- 3) **Industrial Uses** like (a) Junk Yards, and (b) Bulk Storage/Warehousing are not permitted.
- 4) **Change Dimensional Setback Requirements** for an Accessory Building by increasing the rear setback from 5 feet to 10 feet and the side setbacks from 5 feet to 10 feet.

b. General Use Route 3

Along portions of Connector Road & US Route 3/Daniel Webster Highway & Connector Road and Liberty Road

- 1) **Business Use** – Campgrounds are permitted without a Special Exception.
- 2) **Change Dimensional Requirements:**
 - a) Reduce Minimum Lot Size for Duplex from 22,500 SF to 15,000 SF with a maximum of 3,000 SF of total living space, otherwise, Minimum Lot Size for Duplex is 22,500 SF.
 - b) Reduce side and rear setback requirements, staying with 15-foot setbacks in front, but reducing sides and rear setbacks from 15 feet to 5 feet.
 - c) Increase the Percentage of Maximum Lot Coverage from 70% to 75%.

2. Revise Characteristics of Village Center (VC) District

- a. Veterinarian & Dog Kennels are permitted by Special Exception;
- b. Industrial Uses like Manufacturing Other than a Home Business is permitted by Special Exception.
- c. Industrial Uses like Bulk Storage/Warehousing are not permitted.
- d. Change the Dimensional Setback Requirements for an Accessory Building by increasing the rear setback from 5 feet to 10 feet and side setbacks from 5 feet to 10 feet.

3. Add Short-Term Rentals Ordinance to the LUPO as recommended by the Board of Selectmen (Proposed by Board of Selectmen)

4. Add Definition of “Useable Space” to Definition Section of LUPO & to Site Plan Review Regulations and to Subdivision Regulations. [Note: “Adequate Useable Space” is already in Article VIII Board of Adjustment, Section A. Board of Adjustment related to appeals for a Special Exceptions] (Recommended by Town Attorney)

5. Revise Definition of Multi-Family Housing

6. Add Definition of Dwelling Unit

7. Adjust the Zoning District Designation to comport with recent minor boundary line adjustment between 2 adjacent lots owned by Thomas Tremblay, Trustee. One lot is located in the General Use (GU) District. One lot is located in the Rural Residential (RR) District.

Property Owner: Thomas P. Tremblay, Trustee, Thomas P. Tremblay Revocable Trust. PO Box 235, Lincoln, NH 03251-0235

Applicant’s Surveyor: Gardner Kellogg, Kellogg Surveying & Mapping, Inc., 254 Mann’s Hill Road, Littleton, NH 03561.

Minor Subdivision (BLA): December 13, 2023, Planning Board approved a minor subdivision (a/k/a Lot Line Adjustment [LLA] or Boundary Line Adjustment [BLA]) to adjust the rear boundary line between the following two (2) properties.

Properties:

(1) 189 Main Street (Map 117, Lot 004)

- a) Property is located within the General Use (GU) District and is 0.77 Acres or 33,541 SF.

- b) Lot has 2 structures on it – 1 structure with a restaurant/take out business known as “Half baked, Fully Brewed” and a 2nd structure with a mixed use – a Single-Family Residence upstairs and a Coldwell Banker Real Estate Office on the ground floor.

(2) **19 Louann Lane (just changed to 3 Meadow Lane) (Map 117, Lot 017)**

- a) Property is located within the Rural Residential (RR) District, is 0.46 Acres or 20,038 SF.
- b) Lot has a single-family residence with an attached garage on the lot.

Explanation: Two lots share a rear boundary line. BLA shifted rear boundary line of 189 Main Street slightly towards Main Street, giving the rear lot (189 Map Street) (Map 117, Lot 017) an additional 0.04 Acres of land increasing the size from 0.46 acres to 0.50 acres and reducing the size of 189 Main Street (Map 117, Lot 004) from 0.73 Acres to 0.69 Acres. This leaves a slice of land 5 feet wide on the west end and 15 feet wide on the east end with a General Use (GU) District designation. Entire Village Center (VC) District is the area follows the property boundary lines for the “front lots”. PB recommends that Zoning District Boundary Line align with adjustment in property boundary lines.

IV. NEW BUSINESS

A. **TWO (2) MAJOR SUBDIVISIONS:**

1. **SUB 2023-08 M114 L049.3 Kyle McManus d/b/a Coolidge Ridge, LLC – Major Subdivision dividing One Lot into 10 Lots: 4 lots for duplexes & 6 lots for Single Family Residences (SFR).**
2. **SUB 2023-09 M114 L049 Ethan Conley agent for Sean G. Conley d/b/a C2 Equity Partners, LLC d/b/a Lincoln Valley Development, LLC – Major Subdivision dividing One Lot into 18 lots: 18 lots for 18 Single Family Residences (SFR).**

1. **Application#1 for Major Subdivision of vacant land at the top of Mansion Hill & at termination of Mansion Hill Drive & Valley View Lane, dividing one lot into 10 lots: 4 lots for Duplexes & 6 lots for Single Family Residences (SFR).**

Applicant/Property Owner: Kyle R. McManus of Total Construction Solutions Co., 2 Mockingbird Lane, Kingston, NH 03848 d/b/a **Coolidge Ridge, LLC**, 2 Mockingbird Lane, Kingston, NH 03848. (Formerly land of Raymond A. Legare & Pauline A. Legare, Trustees, Raymond A. & Pauline A. Legare Trust, c/o Susan L. Smith, 107 Howe Hill Road, Benton, NH 03785).

Applicant/Property Owner’s Agent: Ethan Conley, 16 Kayla Avenue, Salem, NH 03079

Applicant’s surveyor: James M. Lavelle, LLS, 2 Starwood Drive, Hampstead, NH 03841

Applicant’s Engineer: Keith Curran, P.E., Bohler Engineering, Inc., 3 Executive Park Drive, Suite 202, Bedford, NH 03110 & 352 Turnpike Road, Southborough, MA 01772.

Property: Mansion Hill #LO (Map 114, Lot 049003-00-00000) (6.81 Acres) (Rural Residential (RR) District – (minimum lot size is 15,000 SF or 0.34 Acres)

Proposal: To create 10 parcels for 4 duplexes & 6 Single Family Residences with access to the proposed developments to be provided from Mansion Hill Drive and Valley View Lane, depending on the location of the individual lots :

- | | |
|--|-----------------------------|
| Lot 01 (0.48 Acres) Single Family Residence (SFR); | Lot 02 (0.55 Acres) Duplex; |
| Lot 03 (0.34 Acres) SFR; | Lot 04 (0.37 Acres) SFR; |
| Lot 05 (0.38 Acres) SFR; | Lot 06 (0.38 Acres) SFR; |
| Lot 07 (0.38 Acres) SFR; | Lot 08 (0.38 Acres) Duplex; |

Lot 09 (0.38 Acres) Duplex;

Lot 10 (0.38 Acres) Duplex;

2. Application#2 for Major Subdivision of land on Mansion Hill & at termination of White Birch Lane dividing one lot into 18 lots for 18 Single Family Residences (SFR).

Applicant/Property Owner: Ethan Conley, acting as agent for Sean G. Conley d/b/a C2 Equity Partners, LLC d/b/a Lincoln Valley Development, LLC, 7 Colchester Road, Windham, NH 03087. C2 Equity Partners LLC's registered agent's name is Andrew L. Share, Esq., Nixon Peabody, LLP, 900 Elm Street, Manchester, NH 03101. (Formerly land of Raymond A. Legare & Pauline A. Legare, Trustees, Raymond A. & Pauline A. Legare Trust, c/o Susan L. Smith, 107 Howe Hill Road, Benton, NH 03785).

Applicant/Property Owner's Agent: Ethan Conley, 16 Kayla Avenue, Salem, NH 03079

Applicant's surveyor: James M. Lavelle, LLS, 2 Starwood Drive, Hampstead, NH 03841

Applicant's Agent/Engineer: Keith Curran, P.E., Bohler Engineering, Inc., 3 Executive Park Drive, Suite 202, Bedford, NH 03110 & 352 Turnpike Road, Southborough, MA 01772.

Property: Mansion Hill #LO (Map 114, Lot 049) (10.11 Acres) (Rural Residential (RR) District – (minimum lot size is 15,000 SF or 0.34 Acres) the property includes an existing pump house building and associated wells.

Proposal: To create 18 parcels for 18 Single Family Residences with access to the proposed developments to be provided from an extension of White Birch Lane:

Lot 11 (0.38 Acres) SFR;

Lot 12 (0.38 Acres) SFR;

Lot 13 (0.38 Acres) SFR;

Lot 14 (0.38 Acres) SFR;

Lot 15 (0.38 Acres) SFR;

Lot 16 (0.38 Acres) SFR;

Lot 17 (0.38 Acres) SFR;

Lot 18 (0.38 Acres) SFR;

Lot 19 (0.38 Acres) SFR;

Lot 20 (0.38 Acres) SFR;

Lot 21 (0.38 Acres) SFR;

Lot 22 (0.38 Acres) SFR;

Lot 23 (0.38 Acres) SFR;

Lot 24 (0.38 Acres) SFR;

Lot 25 (0.38 Acres) SFR;

Lot 26 (0.38 Acres) SFR;

Lot 27 (0.38 Acres) SFR;

Lot 28 (0.38 Acres) SFR.

Road and Infrastructure: Also creating an extension to White Birch Lane with associated infrastructure.

Two Proposals Together: To create a total of 28 parcels for 4 duplexes & 24 Single Family Residences with access to the proposed developments to be provided from Mansion Hill Drive, White Birch Lane and Valley View Lane, depending on the location of the individual lots.

Upon finding application meets submission requirements of the Lincoln Subdivision Regulations, Board will vote to accept each application as complete & a public hearing on the merits of proposal will follow immediately. Should a decision not be reached at the public hearing, the applications will stay on the Planning Board agenda until such time as the applications are either approved or disapproved.

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

A. Review Pemi Base Camp Letter

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.

Write letter explaining all of the changes that were made that constitute a “substantial change or expansion of use”.

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.