

PLANNING & ZONING DEPARTMENT

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

Wednesday, April 24, 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](https://www.youtube.com/watch?v=LincolnNHPlanningBoardMeeting04-24-2024) (Lincoln NH Planning Board Meeting 04-24-2024). 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=WUFKR2NlZk9xSzI1bVFPRWVzbyt4UT09>

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:

- **April 10, 2024 (Wednesday)**

- Chairman James Spanos, Selectmen's Representative OJ Robinson, Member Steve Noseworthy, Member Paul Beaudin and Member Danielle Black.

- Not complete yet.

III. 6:00 PM NEW BUSINESS

A. Conceptual - Hermann Pfeuti and Kellee Pfeuti, owners of Black Mountain Burger at The Depot Shopping Center and La Vista Italian Cuisine Restaurant at the Riverwalk Grand Hotel at Loon Mountain Resort (and realtor at RE/MAS in the Mountains):

1. Looking to purchase:

- i. 264 Main Street Unit #14 (Tax Map 117, Lot 120000-01-00017) a business condominium located directly above Black Mountain Burger on the second floor that currently houses the Law Offices of Michael Conklin and Deborah Reynolds, owned by Michael F. Conklin and Deborah R. Reynolds, Trustees of Conklin Reynolds Revocable Trust with "10 Offices, 3 Storage Rooms, Kitchen and bathroom"; and

2. Convert that unit – 264 Main Street Unit #14 (Tax Map 117, Lot 120000-01-00017) into six (6) apartments, changing that unit from a Business Consumer Service use to a Residential Multi-Family Housing Use. There are a number of residential apartments on the second floor of “The Depot” already.

B. Conceptual – Jaswinder (“Jesse”) Singh dba JKP Properties, LLC and d/b/a KS Market (formerly “Goodies Market”) and current owner of 55 Main Street (Map 112, Lot 066) a former retail facility.

1. He is looking to convert the retail portion of 55 Main Street (Map 112, Lot 066), a former mixed-use apartment/retail facility, into additional apartments. The upstairs already has apartments.

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

A. NOTICE OF PUBLIC HEARING ON REQUEST FOR SUBDIVISION APPROVAL:

SUB 2024-01 M118 L039 Mark Bogosian d/b/a South Peak LLC – Modify 3 lots and create a total of 28 new lots referred to as “Phase IV” or “Upper Crooked Mountain Road Subdivision” or “Aspen Heights”.

SUBDIVISION:

Application for Subdivision was submitted to the Planning Board during a regular meeting on Wednesday February 14, 2024 at 6:00PM. The hearing was continued to Wednesday, March 13, 2024 at 6:00 PM. At the hearing on March 13, 2024, Applicant’s Engineer said additional adjustments were being made to the proposed plan so the hearing was continued again to Wednesday, April 10, 2024.

Applicant: Mark Bogosian
850 Main Street
Falmouth, MA NH 02540

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

Property Owner: Mark Bogosian d/b/a
South Peak, LLC
850 Main Street
Falmouth, MA 02540

Properties 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 (38.94 Ac).
2. **Map 121, Lot 051** (Crooked Mountain Road #114) owned by Mark Bogosian d/b/a South Peak, LLC, (0.46 Ac).
3. **Map 118, Lot 039.25** (Crooked Mountain Road) owned by Mark Bogosian d/b/a South Peak. LLC, (0.45 Ac).
4. **Map 118, Lot 039.26** (Crooked Mountain Road) owned by Mark Bogosian d/b/a South Peak, LLC, (0.43 Ac).

Proposal: A total of twenty-eight (28) new lots will be created along new road frontage created by Upper Crooked Mountain Road. Three (3) existing lots along existing road frontage on Crooked Mountain Road will be adjusted along the new Upper Crooked Mountain Road. Infrastructure improvements to such as extension of municipal water & sewer lines & extension of utilities, grading and drainage system will be required.

Application for Subdivision proposes to divide portions of the lots listed above in one (1) subdivision of thirty-one (31) - lots:

1. **Map 118, Lot 039**
(South Peak Road) owned by Mark Bogosian d/b/a South Peak, LLC (38.94 Ac).
2. **Map 121, Lot 051**
(Crooked Mountain Road #114) owned by Mark Bogosian d/b/a South Peak, LLC, (0.46 Ac).
3. **Map 118, Lot 039.25**
(Crooked Mountain Road) owned by Mark Bogosian d/b/a South Peak. LLC, (0.45 Ac).
4. **Map 118, Lot 039.26**
(Crooked Mountain Road) owned by Mark Bogosian d/b/a South Peak, LLC, (0.43 Ac).

Three (3) existing lots adjusted on Crooked Mountain Road to be as follows:

1. **Map 121, Lot 051** (From 0.46 Ac to 0.74Acres.)
2. **Map 118, Lot 039.25** (From 0.45 Acres to 0.44 Acres.)
3. **Map 118, Lot 039.26** (From 0.43 Ac to 0.48 Acres.)

Twenty-eight (28) new lots created on Upper Crooked Mountain Road to be as follows:

1. **Map 118, Lot 039.27** (0.41 Acres)
2. **Map 118, Lot 039.28** (0.38 Acres)
3. **Map 118, Lot 039.29** (0.25 Acres)
4. **Map 118, Lot 039.30** (0.30 Acres)
5. **Map 118, Lot 039.31** (0.39 Acres)
6. **Map 118, Lot 039.32** (0.39 Acres)
7. **Map 118, Lot 039.33** (0.44 Acres)
8. **Map 118, Lot 039.34** (0.37 Acres)
9. **Map 118, Lot 039.35** (0.38 Acres)
10. **Map 118, Lot 039.36** (0.52 Acres)
11. **Map 118, Lot 039.37** (0.64 Acres)
12. **Map 118, Lot 039.38** (0.46 Acres)
13. **Map 118, Lot 039.39** (0.50 Acres)
14. **Map 118, Lot 039.40** (0.37 Acres)
15. **Map 118, Lot 039.41** (0.44 Acres)
16. **Map 118, Lot 039.42** (0.35 Acres)
17. **Map 118, Lot 039.43** (0.70 Acres)
18. **Map 118, Lot 039.44** (0.42 Acres)
19. **Map 118, Lot 039.45** (0.35 Acres)
20. **Map 118, Lot 039.46** (0.35 Acres)
21. **Map 118, Lot 039.47** (0.37 Acres)
22. **Map 118, Lot 039.48** (0.36 Acres)
23. **Map 118, Lot 039.49** (0.48 Acres)
24. **Map 118, Lot 039.50** (0.54 Acres)
25. **Map 118, Lot 039.51** (0.47 Acres)
26. **Map 118, Lot 039.52** (0.42 Acres)
27. **Map 118, Lot 039.53** (0.47Acres)
28. **Map 118, Lot 039.54** (0.37 Acres)

No additional revised plans have been received by the Planning Department since last hearing.

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.

B. TWO (2) MAJOR SUBDIVISIONS (RELATED):

1. **SUB 2023-08 M114 L049.3 Ethan Conley agent for 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: 17 lots for 17 Single Family Residences (SFR) and 1 lot for 1 Duplex.**

Two (2) Applications for Major Subdivisions were submitted. First part of hearing was held on Wednesday, January 10, 2024 at 6:00 PM. Hearing was continued to Wednesday February 14, 2024 at 6:00 PM, with additional notification to owners of additional “affected lots”. Continued hearing was held on Wednesday February 14, 2024 at 6:00 PM, with hearing continued to March 13, 2024 at 6:00 PM. Some revisions to the plan were made – see changes marked in “red” on the agenda. On March 13, 2024, the PB found application was “Complete”, triggering the 65-Day Approval/Disapproval Period. A public hearing on the merits of the proposal followed immediately. The hearing was not completed and was continued to April 10, 2024. The hearing was continued on April 10, and not completed so was continued to April 24, 2024.

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.

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 d/b/a
d/b/a **Coolidge Ridge, LLC**
c/o Total Construction Solutions Co.
2 Mockingbird Lane
Kingston, NH 03848.

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

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)

REVISED Proposal: To create ~~10~~ **8** parcels for ~~4~~ **3** duplexes & ~~6~~ **5** 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~~ **0.82** Acres) Single Family Residence (SFR); Lot 02 (~~0.55~~ **0.86** Acres) **Duplex SFR**;
Lot 03 (~~0.34~~ **0.63** Acres) SFR; Lot 04 (~~0.37~~ **1.46** Acres) SFR;

Lot 05 (~~0.38~~ **1.39** Acres) SFR;

Lot 06 (~~0.38~~ **0.52** Acres) **SFR Duplex**;

Lot 07 (~~0.38~~ **0.57** Acres) **SFR Duplex**;

Lot 08 (~~0.38~~ **0.57** 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 17 Single Family Residences (SFR) and 1 duplex.**

Applicant/Property Owner:

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

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

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.

REVISED Proposal: To create ~~18~~ **17** parcels, ~~17~~ **15** parcels for ~~17~~ **15** Single Family Residences and ~~1~~ **2** parcels for ~~a~~ **2** duplexes with access to the proposed developments to be provided from an extension of White Birch Lane:

Lot ~~11~~ **09** (~~0.38~~ **0.34** Acres) SFR;

Lot ~~12~~ **10** (~~0.38~~ **0.34** Acres) SFR;

Lot ~~13~~ **11** (~~0.38~~ **0.35** Acres) SFR;

Lot ~~14~~ **12** (~~0.38~~ **0.35** Acres) SFR;

Lot ~~15~~ **13** (~~0.38~~ **0.35** Acres) SFR;

Lot ~~16~~ **14** (~~0.38~~ **0.64** Acres) SFR;

Lot ~~17~~ **15** (~~0.38~~ **0.35** Acres) SFR;

Lot ~~18~~ **16** (~~0.38~~ **0.71** Acres) SFR;

Lot ~~19~~ **17** (~~0.38~~ **0.50** Acres) SFR;

Lot ~~20~~ **18** (~~0.38~~ **0.35** Acres) SFR;

Lot ~~21~~ **19** (~~0.38~~ **0.35** Acres) SFR;

Lot ~~22~~ **20** (~~0.38~~ **0.42** Acres) SFR;

Lot ~~23~~ **21** (~~0.38~~ **0.41** Acres) SFR;

Lot ~~24~~ **22** (~~0.38~~ **0.37** Acres) SFR;

Lot ~~25~~ **23** (~~0.38~~ **1.37** Acres) **SFR DUPLEX**;

Lot ~~26~~ **24** (~~0.38~~ **1.03** Acres) Duplex;

Lot ~~27~~ **25** (~~0.38~~ **0.70** 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~~ **25** parcels for 5 duplexes & ~~23~~ **20** 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.

No revised plans have been received by the Planning Department since last hearing.

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.