

**APPROVED**

**PLANNING BOARD**  
**PLANNING BOARD 2<sup>ND</sup> MONTHLY MEETING**  
Wednesday September 28, 2022 – 6:00 PM  
**\*Lincoln Town Hall, 148 Main Street, Lincoln NH**

\*Hybrid meeting available both in person with social distancing & masks & 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 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/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:** Chairman James Spanos

**Members Present:** Chairman James Spanos, Selectmen's Representative O.J. Robinson, Stephen Noseworthy, Paul Beaudin, Mark Ehrman (alternate) (via Zoom)

**Staff Present:** Planner Carole Bont, Fire Chief and Code Enforcement Office/Health Officer/Zoom Host and Moderator Ronald Beard (via Zoom), Recorder Judy Sherrieff (via Zoom)

**Consultants Present:** Town Engineer Raymond (Ray) Korber (via Zoom).

**Guests:**

- **Brian P. Bartlett**, nonresident, one mailing Address: PO Box 548, Lincoln, NH 03251-0548 and owner & head appraiser for BPB Appraisal Services, 41 North Street, Andover, MA 01810.
- **Paul A. Bartlett**, resident (ABUTTER) and co-owner with Karen M. Bartlett of 27 River View Drive (Map 124, Lot 058), Mailing Address: PO Box 548, Lincoln, NH 03251-0548.
  - Owns: as Paul A. Bartlett & Paul Berman, Trustees  
B&B Village Realty Trust  
PO Box 669  
Lincoln, NH 03251-0669
    1. M127 L269000-VL-000 Village Lodge Penthouse U (residential condo)
    2. M127 L277000-00-00000 – 26 Wolf Road (2 family)

3. M127 L276000-00-00000 – 52-54 27 Loon Brook Road (Buildings on NH Route 112) - (Multiple Commercial Buildings – at least 4 - associated with The Village at Loon Condos.)
  - Owns Lincoln Center Shopping Center at 5-24 Lumber Yard Drive \$& (Map 113, Lot 002) as Paul A. Bartlett d/b/a Lincoln Center North, LLC  
PO Box 681  
Lincoln, NH 03251-0681
- **David Beaudin**, nonresident, Lincoln Water Plant Operator with an address of North Woodstock, NH 03262 (via Zoom.)
- **James R. Bertelli**, resident (**ABUTTER**) and owner of 62 Loon Brook Road, (Map 124, Lot 064) PO Box 729, Lincoln, NH 03251-0729, which is part of Loon Brook Condominiums and the South Peak Resort.
- **Paula M. Bogar**, nonresident (**ABUTTER**) and co-owner of 168 South Peak Road (Map 122, Lot 010) with Mark A. Boger, 12 Walden Court, Medfield, MA 02052 (via Zoom).
- **Mark Bogosian**, nonresident, (**APPLICANT and ABUTTER**) d/b/a Longfellow Design Build, Longfellow Design Build NH, FC-Loon, LLC, South Peak, LLC and South Peak Resort, 367 Main Street, Falmouth, MA 02540 (via Zoom).

**A. South Peak Resort Holdings:**

1. Mark Bogosian, a developer who owns the following under his own name, **Mark Bogosian:**
  - South Peak Road (Map 121, Lot 057)
  - 43 Crooked Mountain Road (Map 121, Lot 011)
2. Mark Bogosian, a developer who owns the following property under the name **“Loon Slopeside, LLC”:**
  - 9 Riverside Terrace #2C, (Map 118, Lot 039001-02-0000C)
3. Mark Bogosian, a developer who owns the following properties d/b/a **“FC-Loon, LLC”**). At the time of his purchase of the main South Peak Resort development; he also purchased the FC-Loon LLC and therefore now owns “FC-Loon, LLC” and its assets:
  - Crooked Mountain Road #100 (Map 118, Lot 018)
  - Crooked Mountain Road #101 (Map 118, Lot 019)
  - Crooked Mountain Road #102 (Map 118, Lot 020)
  - Crooked Mountain Road #103 (Map 118, Lot 021)
  - Crooked Mountain Road #104 (Map 118, Lot 022)
  - Crooked Mountain Road #105 (Map 118, Lot 023)
  - Crooked Mountain Road #106 (Map 120, Lot 001)
  - Crooked Mountain Road #107 (Map 120, Lot 002)
  - Crooked Mountain Road #108 (Map 120, Lot 003)
  - Crooked Mountain Road #109 (Map 120, Lot 004)
  - Crooked Mountain Road #110 (Map 120, Lot 005)
  - Crooked Mountain Road #111 (Map 120, Lot 006)
  - Crooked Mountain Road #112 (Map 120, Lot 007)
  - Crooked Mountain Road #113 (Map 121, Lot 049)
  - Crooked Mountain Road #114 (Map 121, Lot 051)
  - Crooked Mountain Road #115 (Map 120, Lot 022)
  - Crooked Mountain Road #116 (Map 120, Lot 021)
  - Crooked Mountain Road #117 (Map 120, Lot 023)

- Crooked Mountain Road #118 (Map 120, Lot 024)
- Crooked Mountain Road #119 (Map 120, Lot 025)
- Crooked Mountain Road #120 (Map 120, Lot 026)
- (Added after purchase of LLC)
- Crooked Mountain Road #121 (Map 120, Lot 027)
- Crooked Mountain Road #122 (Map 118, Lot 035)
- (Added after purchase of LLC)
- Crooked Mountain Road #123 (Map 118, Lot 036)
- (Added after purchase of LLC)
- Crooked Mountain Road #124 (Map 118, Lot 037)
- (Added after purchase of LLC)
- Crooked Mountain Road #125 (Map 118, Lot 038)
- 24 Crooked Mountain Road (Map 121, Lot 021)
- (Added after purchase of LLC)
- South Peak Road (Map 121, Lot 060)
- (Added after purchase of LLC)
- South Peak Road (Map 121, Lot 071)
- (Added after purchase of LLC)
- South Peak Road (Map 117, Lot 128)
- (Added after purchase of LLC)

4. Mark Bogosian, a developer who owns the following properties d/b/a “**South Peak LLC**”) as purchased from CRVI South Peak TRS, Inc. All properties currently owned by South Peak, LLC, 367 Main Street, Falmouth, MA 02540 are as follows:

- South Peak Road (Map 118, Lot 039) (95.71 Acres)
- Parcel 2 #LO (Map 118, Lot 040) (93.93 Acres)
- Parcel 1 #LO (Map 119, Lot 003) (32.1 Acres)
- LO SS East Branch River (Map 119, Lot 004) (53 Acres)
- 179 South Peak Road (Map 121, Lot 028) (0.76 Acres)
- Added after purchase from CRVI South Peak TRS, Inc.
- 170 South Peak Road (Map 121, Lot 046) (0.46 Acres)
- Crooked Mountain Road #LO (Map 121, Lot 050) (0.56 Acres – site of Pemi Base Camp)
- Added after purchase from CRVI South Peak TRS, Inc.
- 144 South Peak Road (Map 124, Lot 046) (0.72 Acres)
- Added after purchase from CRVI South Peak TRS, Inc.
- South Peak L/O (Map 124, Lot 066) (28.28 Acres)

#### **B. Village Shops Holdings:**

- Mark Bogosian, a developer who owns the following properties d/b/a “**Main Street Lincoln Investments, LLC**”) as purchased from Village Shops, ICH, LLC and from T&T Mountain Investments, LLC. All properties currently owned by Main Street Lincoln Investments, LLC, 866 Main Street, Osterville, MA 02655:
  - 25 South Mountain Drive #16 (Map 118, Lot 046) (3.47 Acres)
  - A portion of Main Street #D LO (Map 118, Lot 002002 [1.42 Acres] and Map 118, Lot 002003) [0.95 Acres].
- “**Brian**” – is an unidentified participant #1 who named his/her computer handle, “Brian” (via Zoom).
- **James (Jim) Burns**, nonresident, (**for APPLICANT**), acting as:
  1. Business Development for South Peak Resort, now owned by:
    - Mark Bogosian d/b/a FC-Loon, LLC, 367 Main Street, Falmouth, MA 02540; (30 Lots); and
    - Mark Bogosian d/b/a South Peak, LLC, 367 Main Street, Falmouth, MA 02540 (6 Lots).

2. **Manager of The Village Shops Shopping Center, newly purchased by:**
    - Mark Bogosian d/b/a Main Street Lincoln Investments, LLC, 866 Main Street, Osterville, MA 02655 where Longfellow Design Build Osterville, 866 Main Street, Osterville, MA 02655 is also located.
  3. **Business Development for Longfellow Design Build owned by:**
    - Mark Bogosian d/b/a Longfellow Design Build, 367 Main Street, Falmouth, MA 02540.
  4. **Business Development for Longfellow Design Build NH, owned by:**
    - Mark Bogosian d/b/a Longfellow Design Build NH, located at 9 Riverside Terrace Drive 2C, Lincoln, NH 03251 (property owned by Mark Bogosian d/b/a Loon Slopeside, LLC) (Map 118, Lot 039001-02-0000C).
- **Susanne (Susan) A. Chenard**, resident of 11 Liberty Road, Lincoln NH 03251 (Map 107, Lot 061) and Realtor for Loon Reservation Service, 264 Main Street, Suite 12, PO Box 785, Lincoln, NH 03251-0785, and owner of 19 Maple Street (Map 118, Lot 069). Alternate member of the Zoning Board of Adjustment. (Out in the hall until 6:30 PM.)
  - **Robert (Rob) J. Culgin**, nonresident (**ABUTTER**) of 4 Parmanter Road, Framingham, MA 01701 who is co-owner with Natalie Culgin of 7 Sarsaparilla Court (Map 124, Lot 022) (via Zoom).
  - **John (“Jack”) Daly**, resident (**ABUTTER**) of 186 Black Mountain Road, PO Box 450, Lincoln, NH 03251-0450 and d/b/a John & Donna Daly Living Trust, PO Box 450, Lincoln, NH 03251-0450 that owns 186 Black Mountain Road (Map 130, Lot 097) that is part of Beechwood II (an abutter to South Peak Resort). Member of the Board of Selectmen.
  - **Erin DeStefano**, nonresident (**ABUTTER**) who listed her computer handle, “Erin DeStefano’s i-Phone” of 18 High Meadow Road, Wrentham, MA 02093 co-owns 5 Rachel Court Unit #3 (Map 124, Lot 051000-0B000006) with Joseph D. DeStefano (via Zoom.)
  - **Michael (Mike) J. Donahue, Sr.**, nonresident, (**APPLICANT/PROPERTY OWNER**) 68 Potato Hill Road, Woodstock, NH 03293 and owner of J&M Donahue, Inc. (Excavating & Concrete), 1162 Daniel Webster Highway, PO Box 56, Woodstock, NH 03293-0056, and J&M Donahue Sand & Gravel and winning bidder for contract to develop the Lincoln Industrial Park in exchange for two (2) lots and rights of first refusal (RFR) for the other lots. He is a co-owner of the first two lots on the right on Arthur Salem Way in the Lincoln Industrial Park plus two (2) more lots for a total of four (4) lots:
    - (1) “Arthur Salem Way Lot 1” (Map 109, Lot 025) (0.49 Acres) with Bobbi Anne Donahue;
    - (2) “Arthur Salem Way Lot 3” (Map 109, Lot 024) (0.48 Acres) with Bobbi Anne Donahue;
    - (3) Bog Brook Road #LO (Map 108, Lot 016) (4.33 Acres) with Bobbi Anne Donahue (SUBJECT LOT); and
    - (4) US Route 3 #LO (Map 108, Lot 017) (0.07 Acres) with Bobbi Anne Donahue.
  - **Brenton (“Brent”) Drouin**, resident (**APPLICANT**) and owner of 156 Black Mountain Road, PO Box 788, Lincoln, NH 033251-0788 (Map 130, Lot 097) and d/b/a BDBC Holdings, LLC, owner of 49 Main Street #A (Map 112, Lot 055000-00-0000A) and (Map 112, Lot 055000-00-0000B). Owner and broker of Century 21

- Mountainside Realty, 49 Main Street, PO Box 788, Lincoln, NH 03251-0788. 186 Black Mountain Road that is part of Beechwood II (an abutter to South Peak Resort).
- **Dexter Drouin**, nonresident, (**APPLICANT**) Office Manager at Century 21 Mountainside Realty, 49 Main Street, PO Box 788, Lincoln, NH 03251-0788.
  - **Terrance F. Faherty & Maureen L. Faherty**, nonresidents (**ABUTTER**) identified only as “1-617-233-3443”, nonresidents (**ABUTTERS**), from 17 Bayberry Lane, Cohasset, MA 02025, and co-owners of 36 Yellow Birch Circle (Map 121, Lot 031) (via Zoom).
  - **Kelly D. Feese**, nonresident, of 33 Manchester Lane, Stony Brook, NY 11790, an unidentified participant #5 who named their computer handle “1-617-799-4410” who owns a condominium unit at 9 Riverside Terrace #2D (Map 118, Lot 039001-02-0000D). (Via Zoom.)
  - **Robert (Bobby) Graves**, nonresident, (**APPLICANT**) of 35 Weston Woods Circle, Campton, NH 03223, owner of Cafe Monte Alto, 85 Main Street, Plymouth, NH 03264, with a Mailing Address of Cafe Monte Alto, 35 Weston Woods Circle, Campton, NH 03223.
  - **Jasper Hyatt**, nonresident,
    - (**Possible ABUTTER**) (4 Wood Court) (Map 131, Lot 004) is owned by Geoffrey & Viva A. Hyatt (part of Beechwood I) 118 Huntington Avenue, Boston, MA 02116 (via Zoom).
  - **“i-Phone (103)”** – is an unidentified participant #2 who named their computer handle, “i-Phone (103)” (via Zoom).
  - **Dominic Janssen**, resident (**ABUTTER**), and co-owner with Fiona Adele of 8 Yellow Birch Circle (Map 121, Lot 038) with a mailing address of PO Box 901, Lincoln, NH 03251-0901 (via Zoom).
  - **Christopher A. Jones**, nonresident (**ABUTTER**) of 73 John Adams Drive, Norwell, MA 02061 who listed the computer handle as “1-781-689-5409” who co-owns 15 Riverside Terrace #3B (Map 118, Lot 019001-03-0000B) with Jin Yiing Jones.
  - **Brian Klaus**, nonresident, (**APPLICANT**) Chef at Common Man Restaurant, 10 Pollard Road, Lincoln, NH 03251
  - **Derek D. Lick, Esq.**, nonresident (**ATTORNEY FOR APPLICANT**) Sulloway & Hollis, PLLC, 9 Capital Street, Concord, NH 03301.
  - **Scott Miccile, P.E.**, nonresident, (**APPLICANT**) of Longfellow Design Build, Inc., 367 Main Street, Falmouth, MA 02540.
  - **Kenneth (Ken) A. Michaud**, nonresident (**ABUTTER**) of 628 Hatherly Road, Scituate, MA 02066, and co-owner with Gale M. Michaud of 51 Westwood Drive (Map 124, Lot 032) in Westwood Homeowners Association (via Zoom).
  - **Robert F. Mulhall, Jr.**, nonresident, (**ABUTTER**) **Trustee of the Robert F Mulhall Jr Trust**, 54 Crooked Mountain Road, P O Box 1491, Lincoln, NH 03251-1491 that owns 54 Crooked Mountain Road, PO Box 1491, Lincoln, NH 03251-1491

and on the current Board of Directors of the South Peak Resort Community Association.

- **Andrew J. Nadeau, LS, PLS**, nonresident, (**SURVEYOR/AGENT FOR APPLICANT**), *President, Principal Surveyor*, Horizons Engineering, Inc., 34 School St., Littleton, NH 03561
- **Brian G. Norton**, nonresident, of 20 Gray Road, Campton, NH 03223, (**APPLICANT & ABUTTER**), President and General Manager of Loon Mountain Resort, 60 Loon Mountain Road, Lincoln, NH, 03251; Loon Mountain Resort is owned by Boyne Resorts, 3951 Charlevoix Avenue, Petoskey, Michigan, 49770 (via Zoom).
- **Frank Pasciuto**, resident, and co-owner with Virginia Marie Pasciuto, of 16 Valley View Lane, PO Box 192, Lincoln, NH 03251-0192 (Map 114, Lot 046) and co-owner with Virginia Marie Pasciuto of 10 Green Ridge Road #2 (Map 113, Lot 067000-02-00004) with address of 58 Norman Road, Melrose, MA 021676.
- **Virginia (“Ginie”) Marie Pasciuto**, resident, and co-owner with Frank Pasciuto of 16 Valley View Lane, PO Box 192, Lincoln, NH 03251-0192 (Map 114, Lot 046) and co-owner with Frank Pasciuto of 10 Green Ridge Road #2 (Map 113, Lot 067000-02-00004) with address of 58 Norman Road, Melrose, MA 021676.
- **Eric Pontiff**, nonresident (**ABUTTER**) of 184 Marshall Street, Duxbury, MA 02332 who owns 137 South Peak Road (Map 124, Lot 039) with Jannine Pontiff, of the same address (via Zoom).
- **Arlan (Andy) Pool**, nonresident (**ABUTTER**) Chair of Board of Directors for Riverside Terrace Condominium Association, and representative on South Peak Resort Board of Directors, (Map 118, Lot 039001 (5 buildings with 8 units each), 11 Blossom Avenue, Wayland, MA 01778 (owns 9 Riverside Drive #2H, Lincoln, NH 03251).
- **Kelly Ovitt Puc, Esq.** nonresident, (**ATTORNEY FOR APPLICANT**) Sulloway & Hollis, PLLC, 9 Capital Street, Concord, NH 03301 (via Zoom).
- **“3 Rachel Court,”** (via Zoom.) (There are 3 condominium units at 3 Rachel Court. Not sure which owner was using the computer handle “3 Rachel Court”:
  - 3 Rachel Court #1 (Map 124, Lot 051000-0C-00007) co-owned by **Mitchell Schmidt & Jennifer Schmidt**, 34B Atlantic Avenue, Cohasset, MA 02025.
  - 3 Rachel Court #2 (Map 124, Lot 051000-0C-00008 co-owned by **Christian Wise & Sarah Wise**, 14 Ipswich Road, Boxford, MA 01921-1806.
  - 3 Rachel Court #3 (Map 124, Lot 051000-0C-00009 co-owned by **Kara A. Rogers Trustee of the Jeffrey S. Sandler Family Irrevocable Trust**, 898 Shirley Street, Winthrop, MA 02152.
- **Gregory (Greg) Reynolds**, nonresident, (**ABUTTER**) of 58 Pinnacle Street, Tewksbury, MA 01876 co-owner with Janice Reynolds of 21 Westwood Drive (Map 124, Lot 029) (via Zoom).
- **“Jeffrey S. Sandler”** was the name on the phone, nonresident (**ABUTTER**), and former owner of Rachel Court #3 (Map 124, Lot 051000-0C-00009 now owned by **Kara A. Rogers Trustee of the Jeffrey S. Sandler Family Irrevocable Trust**, 898

Shirley Street, Winthrop, MA 021523

- **Aviva Sapers**, nonresident (**ABUTTER**) of 115 Bellevue Street, Newton, MA 02458 owner of 37 Westwood Drive (Map 124, Lot 030) (via Zoom).
- **Michael Sapers**, nonresident, CATZ, LLC, 114 First Avenue, Needham, MA 02494 (via Zoom).
- **Marci Sapers**, nonresident, (**ABUTTER**) spouse of Michael Sapers (via Zoom).
- **Jason (Jay) W. Scambio**, resident (**APPLICANT & ABUTTER**) and co-owner with Katie W. Scambio of 20 Pollard Pines Drive, Lincoln, NH 03251 (Map 117, Lot 048), currently Chief Operating Officer, Day Operations for Boyne Resorts, 3951 Charlevoix Avenue, Petoskey, Michigan, 49770 that is owner of Loon Mountain Recreation Corporation that owns 60 Loon Mountain Road (Map 126, Lot 020) a/k/a Loon Mountain Resort (via Zoom).
- **Mitchell Schmidt**, nonresident (**ABUTTER**), 34B Atlantic Avenue, Cohasset, MA 02025, who co-owns 3 Rachel Court #1 (Map 124, Lot 051000-0C-00007) with Jennifer Schmidt (via Zoom).
- **Smith, Douglas (Doug)**, resident, mail address: PO Box 1413, Lincoln, NH 03251-1413 (**ABUTTER and PRESIDENT OF WESTWOOD HOMEOWNERS' ASSOCIATION**) of 76 Loon Brook Road (Map 124, Lot 057) owned by Albert S. Smith & Myrna Smith Trustees, of the Albert S. Smith & Myrna Smith Trust, PO Box 1122, Lincoln, NH 03251-1122.
- **"Susan's iPhone"** – is an unidentified participant #3 who named their computer handle, "Susan's iPhone" (via Zoom).
- **Jude Sydney**, nonresident, of 115 Bellevue Street, Newton, MA 02458 spouse of Aviva Sapers, owner of 37 Westwood Drive (Map 124, Lot 030) (via Zoom).
- **Martha Vorlicek**, nonresident (**ABUTTER**) of 5 Fieldmont Road, Belmont, NH 02478-2606, who is co-owner with Anthony M. Vorlicek of 49 Crooked Mountain Road (Map 121, Lot 012) (via Zoom).
- **Jon Warzocha, P.E.**, nonresident, (**AGENT/ENGINEER FOR 2 APPLICANTS**) Horizons Engineering, CEO of Horizons Engineering, 34 School Street, Littleton, NH 03561 working for Applicant Mark Bogosian d/b/a South Peak Resort developer and working for Applicant Loon Mountain Recreation Corporation.
- **Carol Wesemann**, nonresident, (**ABUTTER**) of 8 Island Court, Unit 406, South Easton, MA 02375 and owner of condo unit at 21 Riverside Terrace #4B (Map 118, Lot 039001-04-0000B).
- **"ZOOM"** – is an unidentified participant #4 who named their computer handle, "ZOOM" (via Zoom).

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

- **September 14, 2022**

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

**Motion to accept with approved changes by Vice Chairman Chenard**

**Second by Selectmen's Representative O.J. Robinson**

**All in favor**

## **III. CONTINUING AND OTHER BUSINESS**

### **A. SITE PLAN REVIEW & TWO SUBDIVISIONS => Application for Site Plan Review (SPR 2022-14 M124 L066+ Mark Bogosian d/b/a FC-Loon, LLC and South Peak, LLC – Reconfiguration of South Peak Resort)**

**6:00 PM. Mark Bogosian, d/b/a FC-Loon, LLC and South Peak, LLC**

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

**Property Owner:** (1) Mark Bogosian d/b/a FC-Loon, LLC  
a. Formerly: 2365 Rice Boulevard, Suite 201, Houston, TX 77005  
b. Now: 367 Main Street, Falmouth, MA 02540  
(2) Mark Bogosian d/b/a South Peak, LLC  
367 Main Street  
Falmouth, MA 02540

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

1. **Map 118, Lot 018** (Crooked Mountain Road #100) owned by Mark Bogosian d/b/a FC-Loon, LLC (0.55 Ac).
2. **Map 118 Lot 035** (Crooked Mountain Road #122) owned by Mark Bogosian d/b/a FC-Loon, LLC (0.44 Ac).
3. **Map 118, Lot 039** (South Peak Road) owned by Mark Bogosian d/b/a South Peak, LLC (95.71 Ac).
4. **Map 120, Lot 027** (Crooked Mountain Road #121) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.35 Ac).
5. **Map 121 Lot 021** (24 Crooked Mountain Road) owned by Mark Bogosian d/b/a FC-Loon (0.66 Ac).
6. **Map 124, Lot 066** (South Peak L/O) owned by Mark Bogosian d/b/a South Peak, LLC (28.28 Acres).

**Proposal:** A total of seventeen (17) new lots will be created. Improvements to these lots, extension of municipal water & sewer lines & extension of utilities will be required for the six (6) lot subdivision and will also require Site Plan Review Approval. No such approval will be needed for the eleven (11) lot subdivision as the infrastructure is in place.



**Application #1 for Subdivision proposes to divide portions of the lots listed above in one (1) six (6) lot subdivision:**

1. **Map 118 Lot 035** (Crooked Mountain Road #122) Mark Bogosian d/b/a FC-Loon, LLC, (0.44 Ac).
2. **Map 118, Lot 039** (South Peak Road) Mark Bogosian d/b/a South Peak, LLC (95.71 Acres).
3. **Map 120, Lot 027** (Crooked Mountain Road #121) Mark Bogosian d/b/a FC-Loon, LLC (0.35 Ac).

**Six (6) new lots created on Crooked Mountain Road to be as follows:**

1. **Map 118, Lot 039.05** (0.38 Acres)
2. **Map 118, Lot 039.06** (0.41 Acres)
3. **Map 118, Lot 039.07** (0.37 Acres)
4. **Map 118, Lot 039.08** (0.55 Acres)
5. **Map 118, Lot 039.09** (0.40 Acres)
6. **Map 118, Lot 039.10** (0.36 Acres)

**Application #2 for Subdivision proposes to divide portions of the lots listed above in one (1) eleven (11) lot subdivision.**

1. **Map 118, Lot 018** (Crooked Mountain Road #100) Mark Bogosian d/b/a FC-Loon, LLC (0.55 Ac).
2. **Map 118 Lot 035** (Crooked Mountain Road #122) Mark Bogosian d/b/a FC-Loon, LLC (0.44 Ac).
3. **Map 118, Lot 039** (South Peak Road) Mark Bogosian d/b/a South Peak, LLC (95.71 Acres).
4. **Map 120, Lot 027** (Crooked Mountain Road #121) Mark Bogosian d/b/a FC-Loon, LLC (0.35 Ac).
5. **Map 121 Lot 021** (24 Crooked Mountain Road) Mark Bogosian d/b/a FC-Loon, LLC (0.66 Ac).
6. **Map 124, Lot 066** (South Peak L/O) Mark Bogosian d/b/a South Peak, LLC (28.28 Acres).

**Five (5) New lots created on South Peak Road to be as follows:**

1. **Map 118, Lot 039.11** (0.37 Acres)
2. **Map 118, Lot 039.12** (0.35 Acres)
3. **Map 118, Lot 039.13** (0.60 Acres)
4. **Map 118, Lot 039.14** (0.37 Acres)

**One (1) new lot created on Friendship Court as follows:**

1. **Map 118, Lot 039.15** (0.60 Acres)

**Three (3) new lots created on South Peak Road as follows:**

1. **Map 118, Lot 039.15 (a second lot with the same lot number)** (0.47 Acres)
2. **Map 118, Lot 039.16** (0.49 Acres)
3. **Map 118, Lot 039.18** (0.46 Acres)

**Subdivide 1 lot into 2 lots, creating 1 new lot on South Peak Road as follows:**

1. **Map 121, Lot 021.01 (0.38 Acres)**
2. **Map 121, Lot 021.02 (.43 Acres)**

**One (1) new lot created off South Peak Road as follows:**

1. **Map 124, Lot 066.01 (0.49 Acres)**

**SITE PLAN REVIEW:**

Notice is hereby given in accordance with RSA 676:4 & 676:7 that an **Application for Site Plan Review approval for access road design including grading, drainage and utilities infrastructure for the six (6) lot subdivision proposed above** within the General Use (GU) District will be submitted to the Planning Board during a regular meeting Wednesday September 28, 2022 at 6:00PM.

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

**Agent/Surveyor/Engineer:** Andrew J. Nadeau, P.E.  
Horizons Engineering, Inc.  
34 School Street  
Littleton, NH 03561

**Property Owners:**

**(A) Mark Bogosian d/b/a FC-Loon, LLC**

1. Formerly: 2365 Rice Boulevard, Suite 201, Houston, TX 77005
2. Now: 367 Main Street, Falmouth, MA 02540

**(B) Mark Bogosian d/b/a South Peak, LLC**

1. 367 Main Street, Falmouth, MA 02540

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

1. **Map 118 Lot 035** (Crooked Mountain Road #122) owned by Mark Bogosian d/b/a FC-Loon, LLC (0.44 Ac).
2. **Map 118, Lot 039** (South Peak Road) owned by Mark Bogosian d/b/a South Peak, LLC (95.71 Ac).
3. **Map 120, Lot 027** (Crooked Mountain Road #121) owned by Mark Bogosian d/b/a FC-Loon, LLC, (0.35 Ac).

**Presentation:**

Mr. Bogosian, Mr. Warzocha and Mr. Nadeau present the plan to sub-divide the above listed lots at South Peak Resort. The sub-division is a seventeen (17) lot sub-divisions with eleven (11) of those lots on existing roadways, frontage lots that are served by water and sewer. The remaining six (6) lot sub-division on a new cul-de-sac which is up for the Site Plan Review.

Mr. Nadeau has worked on the South Peak Resort development for the past fifteen to sixteen (15-16) years and he discusses the history of the development. This project is a two-part project with an eleven (11) lot sub-division on South Peak Road and the other a six (6) lot sub-division Crooked Mountain Rd. The six (6) lots are going to be reconfigured with a new access road that will have new infrastructure. The land is owned by two (2) owners and both names are on the application.

**Goals for the project:**

The plan for these new lots is in keeping with what has previously been built which consists of single-family homes. The houses will range in size and they will be designed with more building criteria that will be used to determine the size of the home in relation to the lot size. This will be different from how the previous developer managed the size of the homes that were built.

**Questions:****Basis of Design:**

They will follow the SMO and follow the same process that the existing lots have. The difference is that there will be more rigorous association guidelines to make sure the lots are sold with the information regarding what size home will be allowed on the individual lots. They will be sure to monitor what is built on the lot size and how the existing vegetation and new vegetation is maintained.

Mr. Bogosian is the person in-charge of the association and has a staff to help with enforcement and create rules and regulations for the homes that are going to be built. They will have strict guidelines and rules to maintain the integrity of the Master Plan as a whole.

**Green Space:**

Member Beaudin asks about the green space that will be taken from the existing eleven (11) lots. Mr. Bogosian replies that they are making more lots and there will be less green space. Mr. Warzocha discusses the Master Plan and how it didn't specify where the green space will be. There will be natural buffers planned between the homes to be built.

**Master Plan:**

Member Beaudin asks if the South Peak Resort owners will up-date the Master Plan. Mr. Bogosian replies that they will up-date for sub-divisions but will not change the approved Master Plan as they do not deviate from it. He reiterates that they will follow the outline of the original Master Plan. They will also provide an up-dated Master Plan to Planner Bont who notes there is only a draft and not a copy of the original Master Plan on file. A conversation regarding Master Plan continues and how they will account for the total number of units that are built to be sure to stay within the limits of the approved Master Plan.

Attorney Derek D. Lick discusses the history of the original Master Plan from 2006. He describes the plan as a cluster sub-division development that will be a mixed use. The agreement with the Town of Lincoln was to look at the project as a whole which determined how much density, waste water, and water would be allowed in the whole development. As a result, it was agreed by all parties that there would be a total of one thousand eighteen (1,018) units allowed over the course of approximately twenty (20) years. The most recent agreement with the Town of Lincoln has extended the time line for the completion of the approved one thousand eighteen (1,018) unit project until 2039.

**Water and Sewer:**

It has been confirmed that there is adequate sewer capacity. Water is an issue and Mr. Bogosian has addressed this with the Town and a new large water tank is planned.

**Bedrooms:**

Unlike in the past, they will keep the new homes under or at “4 bedrooms on average” (as the lot size will dictate) while documenting the actual number of bedrooms in the total as not to overload the infrastructure.

**Timeline:**

The completion of the one thousand eighteen (1,018) units has been extended to the year 2039. Currently, they are working on a ten (10) year plan.

**Fire Protection:**

Member Beaudin is concerned that the homes currently located on Hemlock Drive still do not have the proper fire protection.

**Bridge:**

The Bridge to South Peak is not able to withstand heavy weight and traffic is now going through Westwood Development. Using the Loon bridge and driving to South Peak will delay fire trucks to be able to get to a call. Mr. Bogosian adds that they are assessing the bridge and understand there is a need to make repairs as needed. It was last evaluated in 2014.

**Water Tank:**

Mr. Bogosian put up a one million five hundred thousand (1,500,000) dollar letter of credit and is working together with Town of Lincoln to build a large water tank. The fire suppression and potable water issues will be addressed when the tank is completed. The Town is waiting for approval for an easement from the Forest Service. Selectman Jack Daly, confirms the Forest Service has addressed the issue and they are awaiting approval for the water tank. Selectmen's Representative O.J. Robinson responds that the engineering is not complete until the Forest Service grants the easement. Mr. Bogosian also granted an easement for the road access to the tank.

Mr. Warzocha clarifies that the lots proposed on the Site Plan Application, at this meeting, are below the nine hundred fifty (950) foot elevation and have adequate water flow capacity, and water for fire protection. He understands the problems that exist around the new water tank but he wants to move on with the proposed project. Member Beaudin replies that South Peak is currently non-compliant as they aren't providing fire protection on Hemlock Dr. as the permit requires.

Mr. Bogosian understands Member Beaudin's skepticism but feels his actions show that he is committed to working towards a solution for any problems that come up. He has addressed the water tank issue with the Town and has had an evaluation done on the bridge and is waiting for a final report.

General comments about promises from previous contractors that they would provide fire protection. Member Beaudin would like to see things fixed first then move on with the development. Vice Chairman Chenard adds that the issue before them tonight is the eleven (11) lots that are below the nine hundred and fifty (950) foot elevation and they are getting off track.

A discussion between the Planning Board and the applicant continues regarding the relevance of the water tank installation to this proposal. The Town has asked for an extension of the installation of the tank until 2024. Mr. Bogosian in good faith is holding off on building a smaller tank in order to enable the town to work with him to install a larger tank which will be a better long-term solution.

**Motion to open Public Comment by Member Beaudin  
Second by Selectmen's Representative O.J. Robinson  
All in favor**

**Fire Protection Solution:**

Fire Chief Beard discusses that it is correct that Hemlock Drive does not have the adequate water pressure for fire protection, but while the Town and the developer are waiting for the new water storage tank to be installed, he has an interim plan for getting water up to Hemlock Drive.

Fire Chief Beard says as far as the Cooper Memorial Bridge is concerned, the posting is for fifteen (15) tons and only small vehicles and the command vehicles can use it. All other trucks, must use the Loon Bridge to get to South Peak Resort.

**Water Pressure below the height of 950-foot elevation:**

Planner Bont asks Fire Chief Beard if the proposed lots are below nine hundred fifty (950) foot elevation and would there be a water issue at that elevation as shown on the plan.

Fire Chief Beard states that the lots at nine hundred fifty (950) foot elevation and above, "at finish build" would not have adequate water pressure for potable water. Anything built below nine hundred fifty (950) foot elevation should be fine as those homes would be on the gravity feed water system.

*Note: There are two pressure reducing valves (PRVs) on either end of the South Peak Resort Water High Pressure Zone. The Loon Mountain Pemi-Base Camp on Crooked Mountain Road #LO (Map 121, Lot 050) is the approximate mid-point for the water system in the high-pressure zone. Just to the east of the Pemi-Base Camp there is a 12-inch gage valve that, until recently, was kept closed to isolate the low-pressure zone (under 950 feet elevation) from the high-pressure zone (above 950 feet elevation).*

**Lower Western PRV:** *There is one PRV valve to the west of Pemi Base Camp; on the west end of Crooked Mountain Road between Crooked Mountain Road (#104) (Map 118, Lot 022) and Crooked Mountain Road (#122) (Map 118, Lot 035).*

**Upper Eastern PRV:** *There is a second PRV to the east of the Pemi Base Camp; on the east end of Crooked Mountain Road between 24 Crooked Mountain Road (Map 121, Lot 021) and 20 Crooked Mountain Road (Map 121, Lot 022).*

Fire Chief Beard states that changes were recently made to the High-Pressure Zone in South Peak. The prior developer (Tim Clark of CRVI TRS, Inc.) opened the gate valves at the intersection of Hemlock Drive and Crooked Mountain Road and pressurized the water from the lower Pressure Reducing Valve (PRV) to the PRV valve east of the Pemi Base Camp so that the owners of 51 Crooked Mountain Road (Map 121, Lot 013) could get their Land Use Authorization Permit. Without this action, the owners of 51 Crooked Mountain Road (Map 121,

Lot 013) did not have adequate water pressure to provide water to the lot and would not be issued a Land Use Authorization Permit.

Fire Chief Beard states going west towards the Riverside Terrace Condos (Map 118, Lot 039.1) from the Pemi Base Camp, any lots past the Pemi-Base Camp toward the western lower PRV would not have adequate pressure (Map 118, Lot 22).

Planner Bont provides the Planning Board with map that Fire Chief Beard created in consultation with Horizons Engineering, Inc.'s Engineer Steve LaFrance. Fire Chief Beard and Engineer LaFrance created the map together over one (1) year ago. The map shows the high-pressure zone and the proper location of the PRVs.

Chairman Spanos asks if the water pressure issue is from "lot 22" to "lot 51". [He means from "Lot 22" (i.e., Crooked Mountain Road [#104] [Map 118, **Lot 022**] near the lower western PRV to "Lot 51" (i.e., Crooked Mountain Road [Map 121, **Lot 051**].)

Fire Chief Beard replies that the shut off valve is west of "lot 51" [i.e., Crooked Mountain Road (#114) (Map 121, Lot 051)] which was tested last summer. The outstanding issue was the PRV that either needed to be replaced or rebuilt and put in at the lot 22 site and that is why the valve east of Pemi Base Camp was closed.

Fire Chief Beard recalls that upper eastern PRV valve was severely deteriorated by rust because it was never installed but left in the bottom of the vault.

Member Beaudin asks if the proposed six (6) lot sub-division is in the high-pressure zone or not.

Mr. Warzocha replies that the nine hundred fifty (950) foot elevation mark is just above the top of the proposed cul-de-sac. The water services will come in below the nine hundred fifty (950) foot elevation mark which will be served by the low-pressure zone.

Member Beaudin asks what pressure is available at the nine hundred fifty (950) foot elevation mark for residential use. Fire Chief Beard and Mr. Warzocha believe it is thirty-five (35) psi.

Town Engineer Korber joins the conversation and thinks the Weston & Sampson, Inc. analysis was done and the criteria at the nine hundred fifty (950) foot elevation is 20 psi for fire protection flow throughout the entire service area. Which is the basis for the nine hundred fifty (950) foot elevation.

Member Beaudin asks what would happen to the pressure if the home was two or three stories high. Mr. Warzocha explains that the fire flow is sent from the hydrant by the fire truck and the height of the building is not a factor.

### **Public Comment:**

#### **Cooper Memorial Bridge:**

Douglas Smith a resident from Westwood has a letter from the Board of Directors from Westwood Homeowners Association which he hands out to the Planning Board members (see attached). The letter addresses the traffic flow though Westwood due to the Cooper Memorial Bridge not functioning as it should. He states that construction vehicles driving through Westwood, as a short cut, to get to South Peak is a clear violation of the EIS issued by the US Forest Service. In 2006 when the traffic studies were completed, one hundred (100) percent of the traffic flow to get to South Peak from Lincoln were to travel over the Cooper Memorial

Bridge, which was part of the approval. Mr. Smith feels that when the bridge was determined to be too weak to withstand heavy loads, the problem should have been addressed and fixed years ago. He notes that over the past five to six (5-6) years all of the heavy construction vehicle traffic, due to their heavy weight, have been forced to travel over the Loon Bridge and through Westwood to get to South Peak. He adds that this traffic was never approved and is in violation of the original agreement made in 2006. He states that the multiple owners of South Peak have been ignoring this issue and he would like to see this fixed immediately.

1. All construction vehicles traveling through Westwood should immediately cease and desist.
2. The Cooper Memorial Bridge should be fixed as quickly as possible.

#### **Fire Safety:**

Mr. Smith discusses his concerns regarding fire safety as the fire trucks will be delayed responding to a fire because they can't travel over the Cooper Memorial Bridge.

#### **Water Tank Access:**

Mr. Bogosian responds to Mr. Smith's concerns and is eager to address this issue. Mr. Smith asks if the easement for the road to the water tank is on Westwood land or on South Peak land. Mr. Bogosian answers that the easement land for the road belongs to South Peak. Mr. Greg Reynolds from 21 Westwood Dr. expresses his concern that they will have to use Westwood Drive to access the road to get to the tank. Member Beaudin suggests that the traffic on the road to the tank will be very minimal. Mr. Smith responds that the concern is with the construction vehicles accessing the road to the water tank.

#### **Plan Moving Forward:**

Member Beaudin asks Mr. Smith if Westwood would accept conditions of approval that would state the Cooper Memorial Bridge would be repaired within a specific time frame. Mr. Smith agrees that setting conditions for approval would be acceptable.

Mr. James Bertelli of 62 Loon Brook Road asks who will control and oversee the traffic issue brought up by Mr. Smith. Mr. Bogosian responds that the easiest mechanism to control this would be for South Peak to honor what was originally agreed to and work from the Master Plan. Mr. Bogosian feels South Peak should be responsible for governing what the intensions are. They have an office in downtown Lincoln and have the best consultants they can find to insure people with questions can get the answers they need.

An audience member asks when will the traffic violations, that are currently occurring, are going to stop. Mr. Bogosian responds that he will have the traffic stop as soon as possible. He wants to keep working with his consultants and the Westwood board and HOA. He wants quick and open communication. He does not want to just talk about the problem but wants to act on it. He will be reaching out to Westwood and schedule meetings to discuss what the immediate action will be and what the long-term solution will be.

Mr. Robert Culgin via Zoom speaks about the high speed and the volume of construction vehicles that travel through Westwood and that he fears the problem will only get worse as the new proposed home are being built. He suggests that the developer should work with the police

department and pay for a detail to police the road to slow the trucks down. He is also concerned with neighborhood safety as it is a dangerous road and children frequently walk around the area. He would like to see police details, signage, and posted speed limits until the Cooper Memorial Bridge is repaired. Mr. Bogosian reiterates that he will act on the bridge issue immediately and will work on getting speed limit signs posted. He plans on meeting with his consultants and Westwood HOA by the week following this meeting.

Mr. Culgin discusses that he and the Westwood residents did not receive notice of this meeting and was not as prepared as he wanted to be because he only found out about the meeting recently. Member Beaudin explains that the president of the HOA, Doug Smith was notified and it is up to him to inform the residents.

Mr. Michael Sapers asks if approval will be delayed until the developer resolves the issues and he would like to be notified of future meetings so he can participate in them. Chairman Spanos explains that there has not been a decision at this time but the Planning Board will be voting after the public comment portion of the meeting is completed.

Member Beaudin asks Mr. Bogosian when he will be available to meet with the residents of Westwood. Mr. Bogosian will plan to meet as soon as possible and will hope to meet in the next week.

**Motion to close public comment by Member Beaudin**  
**Second by Chairman Spanos**  
**All in favor**

**Discussion:**

Vice Chairman Chenard stresses the importance of getting the water tank installed as fire has destroyed many buildings in the past and having water to fight fires is the most important issue moving forward.

Member Noseworthy asks about the Cooper Memorial Bridge and when did it become deficient. Mr. Bogosian is not sure when it became deficient as it was before his time, but is going to work to fix the situation. He also asks Mr. Nadeau for clarification regarding the nine hundred and fifty (950) foot elevation on the map page S2. Mr. Nadeau explains it is at the top of the cul-de-sac and that all lots proposed at this meeting are under the nine hundred and fifty (950) foot elevation. The Planning Board reviews the maps.

**Review of Sub-Division Application:**

Planner Bont explains the process of notifying abutters and has sent Doug Smith digital copies of the plans for him to share with the association members. She also has plans for the conceptual expansion of the Loon Mountain trails if anyone is interested in them.

Chairman Spanos reads the application and all required items are present.

**Motion to approve Sub-Division Application as complete by Member Beaudin**  
**Second Vice Chairman Chenard**



**All in favor**

**Application of Site Plan Review:**

Chairman Spanos reviews application and all required items are present. Member Beaudin asks if a performance guarantee or a bond is necessary for this project. Mr. Korber is asked for his opinion and he replies that it would **not** be necessary for this project. Mr. Bogosian adds that none of the lots can be sold without the Attorney General's approval, as access to the lots is required and that won't happen until the cul-de-sac is completed. The Planning Board discusses cases from the past where they have required bonds. Chairman Spanos polls the board and all agree that a bond is not required for this project.

**Motion to approve Site Plan Review Application as complete by Member Beaudin  
Second Vice Chairman Chenard**

**All in favor**

**Motion to Continue this meeting until 6:00PM Wed. October 12, 2022 by Member Beaudin  
Second by Selectmen's Representative O.J. Robinson**

**All in favor**

**\*\*\*Chairman Spanos calls a two (2) minute recess\*\*\*\***

**B. CONCEPTUAL => SITE PLAN REVIEW => Conceptual for Possible Site Plan Review**

**(CON 2022-18 M108 L016 Michael Donahue + Brian Klaus – Work Force Housing for Bog Brook Road)**

**Brian Klaus Presenter**

**Applicant:** Brian Klaus (Presenter)

**Property Owner:** **Michael Donahue Sr. & Bobbi Ann Donahue**  
68 Potato Hill Road  
Woodstock, NH 03293

**Property:** Bog Brook Road #LO (Map 108, Lot 016)  
(Vacant Land 4.33 Acres) Rural Residential (RR) District  
Restricted Multi-Family Residential Housing & Multi-Family Housing  
not allowed in Rural Residential (RR) District  
(Not part of a Homeowners Association or a Condominium Association)

**Proposal:** Possible Workforce Housing – 44 units of low rent workforce housing including  
1 bedroom, two-bedroom, three-bedroom & four-bedroom units  
▪ **Building #1** would be a 2-story building with 24 one-bedroom, one-bathroom apartments.

- **Building #2** would be a 3-story building with 4 two-bedroom, one-bathroom apartments and a four-car garage.
- **Building #3 and Building #4** would be three-story buildings, each with:
  - two apartments that are two-bedroom one-bathroom apartments;
  - one unit that would be three-bedroom, two-bathroom apartment and a 4-car garage.
- **Building #5** would be a “community house”, three-story building with three bedrooms, four bathrooms and a 4-car garage.

Looking for input and advice and whether support for project is possible.

#### **Presentation:**

Mr. Brian Klaus discusses the need for work force housing in Lincoln. He thinks this location is in a commercial zone and that it will not be problematic to the community. This will help to increase and improve the living situations for many of the workers in the service industry. He would like to have a positive effect on people and families who would like to live and enjoy working in Lincoln.

#### **Discussion:**

##### **Question:**

Member Beaudin asks if anyone can live there or do the residents need to be Lincoln and Woodstock residents only. Mr. Klaus responds that this will be private work force housing situation where they will provide some discounts for certain income levels and work with companies in the Lincoln and Woodstock area to help rental be more affordable. The discounts will apply for employees of businesses in the Lincoln/Woodstock area.

##### **Zoning:**

Chairman Spanos explains that the proposed area is in a Commercial Zone and Restricted Multi-Family Residential Housing is not permitted. The Planning Board discusses options to either request a variance from the ZBA or have the area re-zoned at Town Meeting in March 2023.

##### **Site Plan Review:**

Site Plan Review would be required.

##### **Water and Sewer:**

The plan would be to build forty-four (44) units all at once. Chairman Spanos believes a Water and Sewer Capacity Study would be needed.

##### **Traffic Survey:**

DOT may need to weigh in and do a traffic study on Bog Brook and Rt. 3.

##### **Timeline:**

Mr. Klaus needs time for fundraising and Member Beaudin suggest waiting until March 2023 for

Town Meeting, when the Town votes on changing the Zoning to allow for Restricted Multi-Family Residential Housing in the Rural Residential Zone.

**Zoning:**

The Planning Board discusses the need to change Zoning to allow for Restricted Multi-Family Residential Housing in the Rural Residential Zone or the possibility of getting Spot Zoning through the ZBA. Mr. Klaus notes that he has been told not to go for Spot Zoning by two different ventures that he has been working with. Planner Bont joins the conversation and suggests that the Use can be made a Special Exception instead of “Yes” on the chart of approved Uses per Zone.

**Chairman Spanos polls the Planning Board and they agree that Restricted Multi-Family Residential Housing could be allowed with or without a special exception and decided in March at the Town Meeting.**

**Suggestions:**

The Planning Board suggests that while Mr. Klaus is waiting for the zoning issue to be resolved he look into the following:

- Water and Sewer capacity research
- DOT and traffic issues
- Talk with Voters and abutters to educate them on the project and the zoning issue that they will vote on in March, 2023.

**C. CONCEPTUAL => SIGNAGE FOR MULTI BUSINESS PROPERTY =>**

**Conceptual for How to Address Signage for Multi-Business Design Center.**

**Applicant:** Brenton (Brent) Drouin d/b/a Century 21 Mountainside Realty  
Realtor Office PO Box 788, Lincoln, NH 03251-0788

**Property Owner:** Brenton (Brent) Drouin d/b/a BDBC Holdings, LLC, PO Box 788,  
Lincoln, NH 03251-0788

**Property:** 49 Main Street #A (Map 112, Lot 055000-00-0000A) – Business  
Condominium

49 Main Street #B (Map 112, Lot 055000-00-0000B) – Business  
Condominium

**(0.38 Acres with 2 business condominium units and common  
space)**

**Proposal:**

Some businesses that use the center have a physical presence, some do not. However, all use the Design Center. The Design Center is not structured like a regular multi-business facility. There is not really a clear “change in use” to trigger Site Plan Review. The business is still a “Business Use – Consumer Service Business.”

The business situation does not fit the Sign Ordinance portion of the Land Use Plan Ordinance. Looking for guidance.

**Presentation:**

Mr. Drouin provide photos of sign to the Planning Board which they review. The sign in question is located on the eastside and will be viewable from western traffic or from the parking lot. He would like to use a wall of the building for signs. Currently, there are fifteen signs in total on that wall.

**Discussion:**

Planner Bont comments that this business (Design Center) is unique (multi-purpose) and wasn't addressed in the sign ordinance. The Planning Board discusses that they can't control content of the sign and there is no longer a classification for "off premise or on premise" signage. The Planning Board discusses details regarding allowed signage and refers to the town's sign ordinance.

**Wall Sign:**

Selectmen's Representative O.J. Robinson reads from the ordinance, "The Maximum size of a wall sign will be limited to ten (10) percent of wall area of the business or businesses as defined herein and shall not exceed an aggregate of twenty-five (25) square feet per five hundred (500) square feet of wall space, with a maximum size of one-hundred fifty (150) square feet."

**Integrated Sign Plan:**

Chairman Spanos reads from ordinance, "Integrated Sign Plans: This section applies to any multi-business property, singular business occupied or building ten thousand (10,000) square feet or more of gross floor area, or tourist attraction located within the General Use or Village Center Zones, or the owner voluntarily seeks relief or flexibility from the required standards of this article."

The Planning Board discusses the size of the building and the sign as they relate to the ordinance. Member Beaudin suggest this matter go before the ZBA as a Special Exception.

After working out the size calculations and the number of signs and existing signs the Planning Board determines that there is plenty of space allowed for Mr. Drouin's plan.

Planner Bont asks for a total aggregate:

- 15 signs on the east wall
- 6 signs on the front

**Measuring Free Standing Signs:**

Selectmen's Representative O.J. Robinson reads PAGE 68 of Ordinance "Multi-purpose businesses properties are not to exceed one hundred fifty (150) square feet including the structure."

**Determination:**

Chairman Spanos reads Pg. 74 paragraphs A and B of the Sign Ordinance and the Planning Board discusses.

The Planning Board concludes after reviewing the Sign Ordinance that:

1. Mr. Drouin does not need to use the Integrated Sign Plan.
2. Mr. Drouin can have a total of twelve (12) signs one wall and on the second wall he can have a total of six (6) signs based on the current size of the signs.
2. The existing free-standing sign is Grandfathered
3. He should apply for a Wall Sign of one hundred fifty (150) square feet on one wall and seventy-five (75) square feet one the second wall.

**D. CONCEPTUAL – Café Monte Alto, 49 Main St. Lincoln, NH**

Bobby Graves is interested in putting a coffee bar in Brent Drouin's facility located at 49 Main Street, Lincoln, NH. Mr. Drouin wants to make the upper left-hand side a "coffee bar" offering services to the general public and his customers, clients, members, etc.

**Presentation:**

Mr. Drouin and Mr. Graves explain their plans for the use of the proposed Café and provide rough drawings. At this time, the café will not have food and will serve coffee. The proposed number of seats is zero to twenty-four seats (0-24) seats.

**Parking:**

Mr. Graves will have fourteen hundred (1,400) square feet plus storage. Planner Bont reads from Page 22-23 paragraphs C and J.

**Article V General Regulations**

**Section A. PARKING AND OFF-STREET LOADING.** Adequate off-street parking facilities (municipal parking facilities excluded) for employees as well as customers and off-street loading facilities shall be provided whenever a new use es established or any existing use is enlarged in accordance with the following specifications:

2. All proposed new construction shall provide for adequate off-street parking spaces in accordance with the following standards, subject to modifications by the approval of a special exception pursuant to Article V, Section A,3. A single parking space is defined as being one hundred seventy (170) square feet in area and having additional adequate area of maneuvering.
  - c. c. Business and Uses Otherwise Not Listed Here: - one (1) space for each three hundred (300) square feet of public area.
  - d. e. Restaurant – one (1) space for each four (4) seats.
  - e. j. In addition to the above requirements, the Town shall require one (1) additional parking space for employee parking for every ten (10) parking spaces required for guests.

Mr. Graves will provide plans to Planner Bont to determine the usable net public space square footage (not to include foyer, closets, bathrooms, storage, and utility) and calculate the number of parking spaces that will be required.

**Site Plan Review:**

The Planning Board discusses if Mr. Graves will be required to come in for Site Plan Review. It is determined that the Café falls under the category of a Restaurant and he will need to have a Food Establishment Permit from the State of New Hampshire which will require Site Plan Review.

Planner Bont and the Planning Board explain the process for Site Plan Review with Mr. Graves.

**IV. PUBLIC PARTICIPATION AND OTHER BUSINESS:**

Chairman Spanos reads a letter from the Town of Lincoln Board of Selectmen (see attached). The Planning Board discusses the need to change the Sign Ordinance. They request to have this item put on the October 12, 2022 Agenda.

**VI. ADJOURNMENT**


**Motion to adjourn by Member Beaudin**

**Second by Second by Selectmen's Representative Robinson**

**All in favor**

Respectfully submitted,

*Judy Sherriff*  
Recording Secretary

Date Approved: 10/12/2022   
Chairman Spanos