

**LINCOLN PLANNING BOARD
REGULAR MEETING MINUTES
WEDNESDAY, JULY 24, 2019 – 6:00PM
LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN NH**

APPROVED

Present: Chairman Jim Spanos, Member Stephen Noseworthy, Selectmen's Representative OJ Robinson, Alternate Paul Beaudin

Members Excused: Vice Chair Joseph Chenard, Member Mark Ehrman, Alternate Deanne Chrystal

Members Absent: None

Staff Present: Fire Chief Ron Beard

Staff Excused: Town Planner Carole Bont, Ellyn Franklin, Recorder

Guests: None.

I. CALL TO ORDER by the Chairman of Planning Board (PB); announcement of excused absences, if any, and seating of alternates(s), if necessary.

Vice Chair Joseph Chenard, Member Mark Ehrman, and Alternate Deanne Chrystal were excused.

II. CONSIDERATION of meeting minutes:

- June 26, 2019 (not prepared yet – no audio came through)

(Chairman Jim Spanos, Vice Chair Joseph Chenard, Member Stephen Noseworthy, Selectmen's Representative OJ Robinson, Alternate Paul Beaudin, Alternate Deanne Chrystal)

Motion to skip approval: Noseworthy

Second: Beaudin

All in favor: 4-0

Motion carries.

III. NEW BUSINESS

- A. 6:00 PM Application for Site Plan Review Approval** will be submitted to the Planning Board during a regular meeting of the Board on:

Applicant: Jennifer Snyder d/b/a One Love Brewery of 25 South Mountain Drive, PO Box 304, Lincoln, NH 03251. Her business is a tenant of the Village Shops ICH, LLC at 25 South Mountain Drive (Map 118, Lot 046)

Property Owner: Village Shops ICH, LLC of PO Box 127, Lincoln, NH 03251 (Marcia and John Imbrescia)

Property: 25 South Mountain Drive (Unit #16) (Map 118, Lot 046); and
The property is located in the Village Center (VC) District.

Proposed Project:

Application of Jennifer Snyder d/b/a One Love Brewery for Site Plan Review approval for an expansion of use per Article IV A of the Site Plan Review Regulations to expand the currently offered outdoor patio extension of One Love Brewery (& restaurant) currently located in the Village Shops to include an additional 25'X50' = 1250 square feet of space outdoors.

The additional square footage proposed will be located on land currently subject to a 99-year lease to the Town of Lincoln for a Town Park and Town Gazebo. The Town lease is up on September 4, 2074. The Town did not sign the application and opposes this additional incursion into their leased area.

Note: Since posting the notice for the Site Plan Review hearing it has come to the Town's attention that in 2010 Board of Selectmen for the Town signed a subsequent agreement that possibly negated the lease. That information will be presented at the hearing.

Presentation:

Jennifer and Michael Snyder who are the owners and operators of One Love Brewery that is renting space in the Village Shops said that they are proposing to extend their outdoor seating area with a temporary border on the grassy area in the front of the building on the property. This extension will help them avoid incurring legal liability from people who are traveling around the property with alcohol. This extension will be a seasonal solution. This extension will allow guests to have alcohol in the yard while they play cornhole with their families. This grassy area is a nice overflow spot for people to congregate while waiting for a table at One Love Brewery.

The fence will be made of green mesh, similar to a ski fence, attached to PVC piping that will go below the ground. They would remove this fence after tourist season in summer, and the fence will most likely be around three and a half feet (3.5') tall.

Alternate Beaudin asked, if this Site Plan Review application is approved, could it become a hard space with seating? Selectmen's Representative Robinson suggested the Planning Board clarify that wording as it is not their intent to turn the grassy area into hard [impervious] space.

Selectmen's Representative Robinson said he believes that this grassy area would be a great addition to One Love Brewery. However, he would like "to check into the legal aspect of the negation" with the Town Attorney, as you cannot negate a lease with a license.

Alternate Beaudin brought up the Castleberry Fairs. The Castleberry Fairs also use that lawn space during the craft fair festivals twice a year, in August and again in October. The Snyders said that they would take down the fence for those events.

Motion to open public comment: Robinson

Second: Beaudin

All in favor: 4-0

Motion carries.

Fire Chief Beard said that the Castleberry Fair craft fair used to take place at Loon Mountain. Castleberry Fairs left Loon Mountain around 2010. A prior Board of Selectmen changed the rules pertaining to the use of the Town's leased area to let the Castleberry Fairs people use that same

lawn area for their craft fairs, which allowed for no liability on the Town for events on that property.

Motion to close public comment: Robinson

Second: Noseworthy

All in favor: 4-0

Motion carries.

Motion to deem the site application complete: Robinson

Second: Beaudin

All in favor: 3-0

Chair Spanos abstained.

Motion carries

Motion to approve the site application subject to:

- 1. Review of the original lease by the Town Attorney, and subsequent approval by the Board of Selectmen; and**
- 2. There be no additional serviced seating; and**
- 3. The fence will be removed during the Castleberry Fair craft fairs; and**
- 4. The area will remain grassed (no impervious surface): Beaudin.**

Second: Robinson

All in favor: 3-0

Chair Spanos abstained.

Motion carries.

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.

VI. ADJOURNMENT

Motion to adjourn at 6:20 pm: Robinson

Second: Noseworthy

All in favor: 4-0

Motion carries.

Respectfully submitted,

Ellyn Franklin
Recorder

8/14/19
Date Approved: August 14, 2019

James Spanos
James Spanos, Chairman

