

# PLANNING & ZONING DEPARTMENT

## PLANNING BOARD AGENDA PLANNING BOARD 1<sup>ST</sup> MONTHLY MEETING & PUBLIC HEARING

Wednesday, May 8, 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=LincolnNHPlanningBoardMeeting05-08-2024) (Lincoln NH Planning Board Meeting 05-08-2024). 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](http://www.lincolnnh.org) for same link, meeting ID and passcode.)

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

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**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.

- **April 24, 2024 (Wednesday)**

- Chairman James Spanos, Selectmen's Representative OJ Robinson, Member Steve Noseworthy, Member Paul Beaudin and Member Danielle Black.
  - Not complete yet.

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

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**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** (0.47 Acres)
28. **Map 118, Lot 039.54** (0.37 Acres)

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

On April 24, 2024, the Board voted to accept the application as “complete”. The public hearing on the merits was continued to May 8, 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.

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**B. UPDATE RE: DRAINAGE PROBLEM BETWEEN RAYMOND BERGLUND, 11 SCHOOL STREET (MAP 113, LOT 098) AND JAYNE LUDWIG, 12 PLEASANT STREET (MAP 113, LOT 092) AND PLANS FOR SOLUTION FROM PLANNING BOARD MEETINGS STARTING ON JUNE 8, 2022.**

On June 8, 2022 and then August 10, 2022, Raymond (Ray) Berglund, owner of 11 School Street, (Map 113, Lot 098) updated the Planning Board on the drainage issues between his property and the property of Jayne Ludwig at 12 Pleasant Street (Map 113, Lot 092).

Berglund planned to put a fence between 12 Pleasant Street and 11 School Street. His plan entailed creating a retaining wall in the rear of the 11 School Street property with an above ground drainage run off system to force water down to a dry well. He was going to add French drains as well. He was going to install fencing after the drainage problems are fixed and the fence would be seven (7) inches onto the property of 11 School Street which will still allow both properties to access their garages. He was to email the plans to Planner Bont. Mr. Berglund asked to have this matter put on the agenda for September, 2022.

On October 26, 2022, at the Planning Board meeting Jayne Ludwig asked the Planning Board to request a status update as nothing has been done to date. The parties attended the Planning Board on November 9, 2022, but the Board did not have a quorum. The parties were asked to come to the next meeting on November 22, 2022. On November 22, 2022, Mr. Berglund was unable to attend the meeting. The Planning Board agreed to notify both parties and let them know that the Planning Board will not take up this matter until they are both present for the meeting.

On Wednesday, January 24, 2024, Mr. Berglund was unable to attend the meeting due to illness. The Planning Board continued the matter to February 28, 2024.

On Thursday, January 25, 2024, Mr. Berglund indicated by email that this project is “first on the list” the moment they can do the work when the ground thaws. The project is “paid for” and “on the schedule”. Email was forwarded to the Planning Board members, Ms. Ludwig and Mr. Noseworthy.

On February 28, 2024, PB asked for “proof” project was “contracted for”, “paid for”, and “on the schedule”. On April 2, 2024, Mr. Berglund sent requested proof. Copies of the plans were sent to Town Engineer Korber for his review.

Hearing was continued to May 8, 2024 to check on the status.

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### III. 6:00 PM NEW BUSINESS

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**A. Conceptual - Nate Gianino – Conceptual – Owners of the Red Sleigh Inn (A “Contactless Boutique Inn”) currently has 6 rental rooms. They would like to add additional rental units.**

**Property Owners:** Red Sleigh Inn  
owned and operated by  
Danielle M. Gianino & Nate Gianino d/b/a  
191 Pollard Rd, LLC  
5 Lynn Street  
Woburn, MA 01801

**Property:** 191 Pollard Road (Map 113, Lot 056)

**B. Conceptual -Justin Walsh d/b/a Notch Properties, LLC had a mixed unit building on 121 Main Street (Map 113, Lot 094) that had ten (10) one-bedroom apartments (one apartment being slightly larger) and one commercial retail business space with a tenant operating an ice cream shop called “Udderly Delicious” on the first floor. On Saturday, April 27, the building burned down. Walsh would like to demolish the remains of the building and then replace the building, with some modifications. Walsh is looking for guidance and input.**

**Property Owners:** Justin Walsh d/b/a Notch Properties, LLC  
PO Box 31  
North Woodstock, NH 03262-0031

**Property:** 121 Main Street (Map 113, Lot 094)

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### 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.

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### VII. ADJOURNMENT.