

Moultonborough Planning Board

Public Notice – Zoning Amendments Public Hearings for 2015 Town Meeting

December 17, 2014*

7:00 P.M.

Moultonborough Town Office

V. Hearings – Zoning Amendments for Town Meeting

1. **Removal of word “Subdivision”** - This proposal will amend *Zoning Ordinance Article III, General Provisions* by removing the reference for subdivision approval for a second dwelling on one lot and clarifying that the review and approval by the Planning Board involves the applicant certifying that the lot has the required unit density based on soils groups and slopes of the land. The clarification in wording does not change the process that the Board has used and will now meet the wording and intent of Warrant Article 2, passed by the voters at the 2001 Town Meeting. Refer to p. 13 of the Annual Town Report for the year ending December 31, 2001.
2. **Nonconforming Uses & Structures** – This proposal will amend *Zoning Ordinance Article VII (D), Nonconforming Uses & (E) Nonconforming Structures*, by removing language that imposes a percentage limitation on the expansion of nonconforming residential uses, when in fact there are no nonconforming residential uses in any zoning district because such uses are allowed in every zone. The change also clarifies that nonconforming residential structures (because of changes in dimensional requirement like setbacks) may be expanded within the setbacks within specific guidelines and to certain limitations as laid out in the ordinance section.
3. **Temporary Use: tag, barn, garage** – This proposal will amend *Zoning Ordinance Article XI (H) (2)* by removing “tag, barn, garage” and adding special event to the term “commercial temporary uses”. The change clarifies that special events are, and tag, barn and garage sales are not commercial temporary uses. Finally, language has been added that allows a commercial temporary use a longer time to occur, but only for once a year. The wording being added is “or up to ten (10) consecutive days on a one-time basis annually”.
4. **Addition to General Definitions Section** - This proposal will amend *Zoning Ordinance Article XV, Definitions* by adding a new definition for bedroom as follows: “A room furnished with a bed and intended primarily for sleeping, unless otherwise specified by other regulations contained in this title or other local regulations.” The Code & Health Officer is given a solid statutory basis for permit review and code enforcement by adding a definition that is based on wording from NH RSA 485-A: 2, XX, where there has been no official definition in the past.
5. **Amendment to General Definitions Section** - This proposal will amend *Zoning Ordinance Article XV, Definitions, Section 1503 General Definitions, D: Dwelling* by adding a new sub-term, “Seasonal, recreational or occasional use dwelling”, and further clarifies that if said dwelling types are rented on a weekend, weekly, monthly or seasonal basis, there is an occupancy limit. The limit is defined as either 12 occupants or no more than the approved design shown on the NH DES septic construction and operational approvals for the lot based on three (3) persons per bedroom as indicated on the aforementioned approvals (or one (1) person per 50 gallons/day). The amendment also clarifies that there is no maximum occupancy for these types of rentals if the property is served by the Bay Sewer District system.

Complete copies of these Draft Ordinances are available for the public to inspect in the Development Services Department at Moultonborough Town Hall on 6 Holland Street or on the Town’s Website at

http://www.moultonboroughnh.gov/Pages/MoultonboroughNH_Planning/index under “Additional Links”.

***Snow Date:** December 22, 2014

Second Hearing (if Required): January 14, 2015, with a **Snow Date of:** January 19, 2015

All Public Hearings for Zoning Amendments to be held at the Moultonborough Town Hall at 7:00 P.M.

Josh Bartlett
Chairperson