

**Moultonborough Planning Board**  
**P.O. Box 548**  
**Moultonborough, NH 03254**  
**(603) 476-2347**

**Minutes**

October 29, 2008  
Work Session Meeting - 7:30 P.M.  
Moultonborough Town Hall

<b>Present:</b>	Members:	Judy Ryerson, Natt King, Eric Taussig Ed Charest (Selectmen's Representative) Keith Nelson – arrived at 7:55 pm
	Alternates:	Joanne Coppinger, Peter Jensen, Jane Fairchild
<b>Excused:</b>	Members:	Jim Bakas, Peter Wright
	Alternates:	James Gray (Selectmen's Alternate)

Ms. Ryerson called the meeting to order at 7:30 PM. Present in the audience were Cristina Ashjian, Herb Farnham, Hollis Austin and Sarah Schmidt.

Ms. Ryerson stated that this was the fourth work session of the year. This work session was to be devoted largely to the first consideration of the completed final draft of the Master Plan. Unfortunately the final draft was just presented to the Steering Committee earlier this evening. Ms. Ryerson stated that there has been a lot of input on the Master Plan, people and committees started working in January and are still working. One of the main concerns at this time is how to get it implemented. One of the strong recommendations to come out of this in many of the work groups is that the Town of Moultonborough needs to hire a planner. This has been worked on in several different ways over the past three years. At the meeting on October 22<sup>nd</sup>, the board had discussed a planner and had stated that they wanted a full time planner if possible in this economic environment, if not perhaps a shared planner with other towns such as Center Harbor, Tuftonboro and Sandwich to help defray costs.

Ms. Ryerson went on to say that it is crucial, after spending considerable time and money on the Master Plan, that it doesn't end up in boxes somewhere in a storage room. The board would like the document to be used, and has been discussing how best to do that.

Ms. Ryerson had a brief discussion with Carol Ogilvie who is the chief writer of the Master Plan, and is an experienced planner from Peterborough, New Hampshire. Ms. Ogilvie stated that she has a matrix on her computer for items to be completed and as things get done they are taken out and the next item rolls up, noting you must keep at it. There are flip books being prepared that each board member and Selectmen will be given.

Mr. King questioned if there had been any further discussion from Center Harbor on whether or not they are interested in sharing a planner. Ms. Ryerson stated a letter had been sent to three surrounding towns, Tuftonboro, Sandwich and Center Harbor, to see if there was any interest in sharing a planner, sort of a mini regional planner. Ms. Ryerson heard back from all three towns that there was some interest. Center Harbor would be discussing it on Tuesday and Sandwich will be discussing it at their planning board meeting on November 6<sup>th</sup>. Bud Martin, Chair of the Sandwich board stated that their need was for master plan help, and that probably would not be a good fit for Moultonborough. It appears that Center Harbor would be the most probable. This would fit well with discussion regarding the development of Route 25.

Ms. Ryerson stated one of the main recommendations coming out of the Master Plan is that Moultonborough carefully look at Route 25, its current zoning and ways in which any of that might be changed

in light of the fact that the State has no intention of rebuilding Route 25 for the next 15-20 years. The road is at near capacity in the summer and any more intense commercial development along Route 25 could cause serious problems for the town. A committee was convened which is composed of private citizens, planning board members, master plan committee members. Mike Izard, a planner with LRPC will be joining the committee meeting next Wednesday to talk about various strategies and pitfalls that might be encountered with future development.

Ms. Ryerson paused at this time to appoint Jane Fairchild, Peter Jensen and Joanne Coppinger to sit on the board with full voting privileges in place of Jim Bakas, Peter Wright and Keith Nelson respectively.

Ms. Ryerson continued to say that there will be another meeting next week of the Route 25 Corridor Committee. Depending on the amount of work that is done in the meeting and advice from LRPC, it is the intention of the committee to send one, possibly two proposed ordinance change recommendations to the Planning Board.

Mr. King stated that the steering committee had a meeting earlier this evening and Mr. King went over the schedule set by the committee regarding the Master Plan. The committee was provided a copy of the Master Plan by MRI. The committee is to have their proposed changes to MRI by Thursday, November 13<sup>th</sup>, so that they may get the final draft together to have to the planning board members by Monday, November 24<sup>th</sup>. There will be a special planning board meeting on Monday, December 1<sup>st</sup> to review that Master Plan. This means the Planning Board will have between November 24<sup>th</sup> and December 1<sup>st</sup> to review it at home. On December 10, the regular planning board meeting will also be noticed as a Public Hearing starting at 7 PM for the review of the final draft Master Plan. December 17<sup>th</sup> will also be noticed as the date for a second public hearing if needed, depending on whether or not significant changes are made to the master plan on December 10<sup>th</sup>. The time for the hearing on December 17<sup>th</sup> will be either 5 PM or 7 PM. This will be based on the Zoning Board of Adjustments agenda for December 17<sup>th</sup>. If the ZBA has scheduled hearings it will be at 5 PM, and if the ZBA is not meeting the time will be 7 PM.

Ms. Ryerson went on to state that by the time the board receives the final changes on December 1<sup>st</sup>, the board probably will not recommend many changes. What there is for a document now is pretty much what the board will be recommending for the town. This includes things such as looking at zoning itself on Route 25, and issues of community appearance with design standards.

Ms. Ryerson continued to speak to other chapters in the ordinance such as the Natural Resource Inventory chapter, which is very concerned with water protection and they have been steered towards model ordinances that may be implemented in 2010 that will protect our ground water and aquifers. In historic cultural areas there are concerns about the village and interest in ways to improve its appearance, including protecting its historic structures, and other historic structures thorough out town. One other chapter expresses interest in looking at work force housing. LRPC will probably be completing a work force housing inventory for the town, at no charge, as we had expressed interest in having this completed.

Herb Farnham commented that he was thinking about Lakes Region Water Company, noting he believes that they are running into a lot of legal problems with DES. If LRPC ever decided to sell out how could the town stop them from selling to a bottler. Mr. Farnham questioned what views board members would have on something like that. Ms. Ryerson stated that she didn't know of anything the board would have to say about that. Mr. Taussig stated "If they want to sell, they can sell and it would require, if it goes to another, it's a public utility, it'd have to be approved by the utility commission." Ms. Ryerson commented if it were a private company, like C G Roxane for instance, it would require a commercial special exception from the zoning board.

The discussion then turned to possible changes to the Zoning Ordinance, with Mr. Taussig providing the board draft language for a proposed amendment to the ordinance for the board's review. As noted at the meeting on October 22<sup>nd</sup>, Mr. Taussig stated that he had raised the issue of amending the ordinance to eliminate change of use by special exception and to require this to be done by a Use Variance. Mr. Taussig feels a change of use should be reviewed as a variance and that conditional use permits may be granted, that will not run with the

land. Mr. Taussig noted that he had drafted language for the work session this evening. It is Mr. Taussig's feeling that when Commercial Zones A & B were established in 2000, the granting of special exceptions has resulted in what is commonly referred to as "spot zoning" and that this could be corrected by eliminating Special Exceptions for commercial uses in the Residential / Agricultural Zone. Anyone seeking a commercial use outside of the commercial zone would seek a variance from Zoning Board of Adjustment which has tougher standards to meet than a special exception.

Mr. Taussig provided language to authorize the Board to issue Special Conditional Use Permits either under their Subdivision and / or Site Plan Regulations to authorize "Conditional Use(s)" in the Residential / Agricultural Zone with a showing of good cause.

The Board discussed this issue at length, with some questioning the criteria on which the ZBA base their granting or denial of special exceptions and variances. It was the decision of the board that they would not proceed at this time with the recommendation of a conditional use permit, and that they would like to review the draft language presented by Mr. Taussig regarding the amendment to repeal articles in the ordinance relating to Special Exceptions for commercial uses in the Residential / Agricultural Zone. It was noted that the board may choose at a later date to amend the ordinance to include conditional use permits. The board will revisit this at the regular meeting on November 12<sup>th</sup>.

Ms. Ryerson asked if there was any new information regarding proposed amended language relating to small Wind Energy Systems or the sign ordinance. There was no new information provided this evening.

Ms. Ryerson thanked all those present this evening for comments and suggestions this evening.

**Motion:** Mr. King moved to adjourn at 8:47 PM.  
Mr. Charest Seconded.  
**Motion Carried** - Unanimously.

Respectfully Submitted,  
Bonnie L. Whitney  
Land Use Coordinator

These Minutes have not been formally approved by the Moultonborough Planning Board. Please contact the secretary after the next regularly scheduled meeting of the Moultonborough Planning Board to be held on the 2nd and 4th Wednesday of each month, to learn if any corrections, additions or deletions were made.