

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

**Minutes**

December 15, 2008  
Work Session Meeting - 7:00 P.M.  
Moultonborough Town Hall

<b>Present:</b>	Members:	Judy Ryerson, Eric Taussig, Keith Nelson, Ed Charest (Selectmen's Representative)
	Alternates:	Joanne Coppinger, Peter Jensen, Jane Fairchild
<b>Excused:</b>	Members:	Natt, King, Jim Bakas,
	Alternates:	James Gray (Selectmen's Alternate)
	Public:	Herb Franham, Hollis Austin

The meeting began at 7 PM.

Ms. Ryerson named alternate Jane Fairchild to sit in place of absent member Jim Bakas, and Peter Jensen to sit in place of absent member Natt King, both with full voting privileges.

The Board discussed the proposal from LRPC to prepare a workforce housing audit for the town at the cost of \$2,500. The Board felt, based on our understanding of the town's situation regarding affordable/workforce housing that such an audit would be unnecessary and that the cost was, under the circumstances, excessively expensive. The Board authorized the Chair to thank Mike Izard of LRPC and to decline the proposal.

The Board considered the draft versions of ordinance amendments to be presented to the Legislative Body (Town Meeting), and to be placed on the ballot on March 10, 2009.

The Board took up the proposals in the order in which they had come to them.

Re-write of entire Chapter V, Signs

Eric Taussig, who is the lead on this, had made minor changes to this amendment which has been pending since the fall of 2007, based on comments at our regular meeting of December 10, 2008. The Board discussed these changes, offered a few minor changes in addition, including: reducing the size of a permitted wall sign, reducing the height of free standing signs in the Village Zone, and adding a section to the Definitions section defining what is meant by and included in "Business Identification." There was some discussion about the meaning of Business Identification, and Keith Nelson said he would work up a definition for that and insert it into the definitions section. The Board discussed issues around the Planning Board doing the permitting, and there was discussion about the practical considerations of the Pre-ordinance permitting. The Board agreed to keep these as written, after clarifying that the pre-ordinance permit would have no fee.

Joanne Coppinger brought up the fact that there is nothing in the ordinance that allows property owners to place a personal signs on their property, such as Camp Coppinger. We agreed that sort of sign should be allowed and decided to consider that at a future date, understanding that we

would continue to find minor problems with the amendment, but that, if we want it on the ballot this year, we need to push it forward.

Motion to accept the amendment as presented, conditioned on the changes being made as discussed and agreed to this night, and scheduling it for a public hearing in January.  
Motion passed unanimously.

The Wind Energy Ordinance: Peter Jenson spoke for the subcommittee that had been delegated to produce this amendment. The Board felt that it was not significantly altered from the time last winter when it was first presented, and that, despite there being a model ordinance available from the OEP, that the material before the Board was not in the form of an ordinance, and that there were significant problems with establishing criteria for Special Exception, and with compatibility with the State RSA which will go into effect this July, which seriously restricts what a town can ask of an applicant. Also, definitions were lacking, and internal ambiguities were identified. The Board felt that the material in this form was not ready and would be rejected by our counsel. Judy Ryerson and Peter Jensen both said they would take the material and try to combine it with the Model Ordinance to see if, by Wednesday night, December 17, we might have something sufficiently finished to vote upon.

Special Exception: Eric Taussig presented an amendment to remove the section providing for Special Exception for Commercial Use in the Residential Agricultural zone, noting that property owners still would be able to apply for a variance for commercial use. This Ordinance provision was a hold over from the days when the town had no commercial zones and the Board feels that now there are commercial zones, and because there is still the variance possibility, this change should be made in keeping with the Master Plan recommendations that the Board act to retain the rural and scenic character of the Town. The Board requested that extraneous material be removed (such as Whereas section). Keith Nelson asked if all references to Special Exception had been identified, and when informed they had not been, he volunteered to do a word search. Motion to accept the proposal, conditioned on the changes being agreed to being made and scheduled for Public Hearing in January. Passed unanimously.

Route 25 Re-zone. Jane Fairchild presented this amendment for the Committee that had been delegated to study issues of commercial development and traffic impacts on Route 25. The amendment would remove two specific sections along Route 25, from the current Commercial Zone A, effectively returning them to the status of Residential/Agricultural that they had prior to 2000. The Board agreed to a minor change to begin the second residential section at Marvin Road, rather than Fox Hollow Road. The Committee felt that a thorough study of Route 25 was necessary before coming to any final decisions, but that due to the serious traffic problems on Route 25, and the identified problems with certain intersections, all of which are in the affected zones, that this change should be made now, but with a "sunset" clause. There was some discussion about the length of time the amendment would be in the ordinance before it automatically expires, and the Board agreed that the amendment should expire, unless changes were made subsequently, in two years from the effective date of this ordinance change. Motion was made to accept this ordinance proposal, conditioned on the changes being agreed to being made, and scheduled for a public hearing in January. Motion passed unanimously.

Access Management: Judy Ryerson proposed the final amendment, which would insert a brief section into the ordinance: Article VI, Commercial Uses, A. General Provision, affecting section 2, and adding a new section 3:

Remove from section 2, the sentence "Driveways and other points of access should be located in the safest possible location."

Add the following section: "Because Route 25 is a main east highway with high traffic volumes and frequently congested conditions, driveways and other points of access should be limited to the greatest extent possible and permitted in the safest possible locations. The Planning Board will work with the NH Department of Transportation and the property developer to arrive at the best possible access management solutions as described in the town's Site Plan Review regulations and a Memorandum of Understanding with the Town and the DOT." And renumber subsequent sections of General Provisions.

The Board suggested changing the first sentence in the new section so that it will not begin with "Because" and wanted the word "work" to be "consult" and the word "with", in the final sentence to be "between."

A motion to accept this amendment to the Ordinance, conditioned on the suggested changes being made, and scheduled for a Public Hearing in January passed unanimously.

The Board agreed to briefly consider all these amendments on Wednesday, December 17 to see if the changes suggested had been made, and to take up the Wind Energy ordinance if it is ready, with the intention of sending the finished ordinances to town counsel for review in time to give timely notice for hearings in January.

The Board adjourned at 10:05.

JR