

**Moultonborough Planning Board**  
**P.O. Box 139**  
**Moultonborough, NH 03254**

**Work Session Minutes**

**December 2, 2009**

Present: Members: Natt King, Joanne Coppinger, Jane Fairchild, Ed Charest  
(Selectmen's Representative) - left at 6:15 PM, Eric Taussig – arrived at 5:28 PM;  
Alternates: Peter Jensen – left at 7 PM, Keith Nelson- arrived at 7 PM  
Town Planner: Dan Merhalski  
Excused: Members: Judy Ryerson, Jim Bakas

Vice Chairman King opened the meeting at 5:00, noting that this was a work session of the Planning Board and ZBA.

Mr. King appointed Peter Jensen to sit in place of Jim Bakas.

The first order of business was the review and discussion of the Draft Sign Ordinance, which began with a Power Point Presentation by Ms. Fairchild. Ms. Fairchild stated she had worked with the draft the Board had seen various versions over the last few years. The Board was provided with a handout of the presentation to follow along. This gave a brief history, goals, changes and discussion points.

The Board discussed several areas of the draft, noting due to the late date, they may not be able to incorporate all the changes in time for Town Meeting. Board Members commented on the areas they would like to concentrate on for this Town Meeting. These included the Dark Skies Initiative and a Chart/Table for easier reference as drafted by Ms. Fairchild. The discussion on the draft Sign Ordinance was continued to December 9, 2009.

Mr. Taussig noted there was a lot of work on the original draft by himself and the sign committee, and suggested the Board reconvening the sign committee, noting it is important that the Board has the support of the public on any and all proposed changes to the sign ordinance.

Mr. King asked Mr. Merhalski for the date time line for Public Hearings. He explained those to the Board, noting the need to have all proposed drafts in final form by the December 30<sup>th</sup> Work Session. Mr. Merhalski requested approval from the Board to send final drafts of the three Ground Water Protection Ordinances to Town Counsel for review.

**Motion:** Mrs. Coppinger moved to direct staff to forward final drafts of the Ground Water Protection Ordinances to Town Counsel for review, seconded by Mr. Charest, carried unanimously.

Second was a discussion of Draft Revisions to Special Exception Ordinances. Mr. King stated this was discussed at the meeting on November 24<sup>th</sup>. At that time Mr. Merhalski provided those present with an amended draft making changes requested by the Board to tighten up the requirements for obtaining a Special Exception. Mr. Taussig had stated his concerns with this and noted he had previously proposed the repeal of Special Exceptions, keeping in mind applicants could apply for a variance. Mr. Taussig then made a motion to repeal that section of the Zoning Ordinance relating to Special Exceptions for commercial uses in Residential/Agricultural Zones. After discussion on the motion, it was the decision of the Board to table the discussion to this evening when more members would be present as it was a big change. All members present this evening were in favor of the elimination of special exceptions.

**Motion:** Mr. Taussig made the motion to repeal Special Exceptions for commercial uses in Residential/Agricultural Zones, Article VI (A)(4), VI D, VI E and portions of Article VII

of the Zoning Ordinance, effective on approval of Town Meeting in March 2010,  
seconded by Mr. Jensen

Mr. Taussig amended the motion to include that the Board direct staff to forward the draft ordinance to Town Counsel for review, seconded by Mr. Jensen, carried unanimously.

The next item for discussion was the discussion of Draft Revisions to Route 25 Commercial Zones Ordinances. This was discussed at the meeting on the 24<sup>th</sup>, but was continued to this evening when more Members would be present. Mr. Merhalski stated he had amended the dimensional requirements of the zoning Ordinance for the three (3) commercial zones in Town. The setbacks were amended and put into a table, parking had been moved to the rear and sides of the structure, and a green screening buffer is now required within Zones A and B, where feasible, to screen the building from the roadway to prevent open commercial development and maintain the green buffers within the Town. Parking was also proposed to be screened from adjacent sites, and commercial uses in the Village Zone C may use off-site parking if they can prove that it will be available and not take away from another businesses available parking.

Board members discussed the draft with Mrs. Coppinger requesting language being added requiring lots being developed commercially to provide for connecting abutting lots, reducing the amount of traffic entering and exiting onto Route 25. Another area of discussion was Lot Coverage. The draft allowed for a maximum of 75 percent. Board members differed on the percentage. After further discussion the Board was in agreement that lot coverage may be increased up to a maximum of 65 percent.

Mr. Jensen left at 7 PM and Mr. Nelson arrived at 7 PM. Mr. King appointed Keith Nelson to sit in place of Judy Ryerson.

**Motion:** Mrs. Coppinger moved to direct staff to forward the final draft to Route 25 Commercial Zones Ordinances to Town Counsel for review, seconded by Mr. Taussig, carried unanimously.

Mr. Merhalski updated the Board regarding the Stonewall Acres Subdivision. Mr. Ambrose was given a deadline of November 29<sup>th</sup> to provide the Town with bonding for the subdivision, which was not received by that date. A letter was sent to Mr. Ambrose on Tuesday giving him two weeks to respond. If Mr. Ambrose does not respond within the required time frame the Board will discuss calling a compliance hearing on the property at their meeting of the 21<sup>st</sup>.

Mr. King stated he had filed a letter of complaint with the Code Enforcement Officer on the Townsend property located at 1088 Highway, questioning the status of the conditionally approved Site plan. Also noted was the Hammond property, regarding the outstanding Boundary Line Adjustment and Site Plan.

**Motion:** Mr. King moved to direct the Planner and Code Enforcement Officer to review these two sites and report back to the Board, seconded by Ms. Fairchild with Mrs. Coppinger abstaining.

As a last order of business Mrs. Coppinger updated the Board regarding the Safe Routes to School progress.

**Adjournment:** Mr. Taussig made the motion to adjourn at 7:28 PM, seconded by Mrs. Coppinger, carried unanimously

Respectfully Submitted,  
Bonnie L. Whitney  
Land Use Coordinator