

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

**Regular Meeting**

**January 13, 2010**

**Minutes**

Present: Members: Judy Ryerson, Natt King, Joanne Coppinger, Jane Fairchild, Jim Bakas  
Ed Charest (Selectmen's Representative); Alternate: Peter Jensen;  
Town Planner: Dan Merhalski  
Excused: Member: Eric Taussig; Alternate: Keith Nelson

**Motion:** Mr. King moved to open the regular meeting of January 13, 2010 and to suspend the agenda to 8:15 PM, seconded by Ms. Fairchild, carried unanimously.

**I. Pledge of Allegiance**

Ms. Ryerson called the regular meeting to order at 8:25 P.M. and appointed Peter Jensen to sit on the board with full voting privileges in place of Eric Taussig.

**II. Approval of Minutes**

**Motion:** Mr. King moved to approve the Planning Board Minutes of December 21, 2009, seconded by Mr. Bakas, carried unanimously.

**Motion:** Ms. Fairchild moved to approve the Planning Board Minutes of December 23, 2009, seconded by Mr. Jensen, carried unanimously.

**III. New Submissions**

**IV. Boundary Line Adjustments**

**V. Hearings**

1. **Thomas D. Given Revocable Trust of 1994**, Thomas D. Given, Trustee, Donna Z. Given Revocable Trust of 1994, Donna Z. Given, Trustee, David A. Given, Mary E. Given (226-1)(51 Garnet Point Road)  
Continued Minor Two Lot Subdivision

Ms. Ryerson noted a letter dated January 13, 2010 from James M. Hambrook, Agent withdrawing the application for subdivision for Thomas D. Given Revocable Trust of 1994, et al.

**Motion:** Mr. King moved to acknowledge the letter of withdrawal for the **Thomas D. Given Revocable Trust of 1994, et al.**, seconded by Mr. Bakas, carried unanimously.

2. **Townsend's Hometown Grocery LLC (52-27)**(967 Whittier Highway)  
Continued Site Plan Review

Ms. Ryerson noted a letter dated January 12, 2010 from Loralie Gerard, Agent requesting an extension for Board approval to January 27, 2010, and a letter dated January 13, 2010 from Christopher T. Meier, Agent for abutters Linda and Ingrid Ratsep stating that they have no objection to such extension or continuance.

**Motion:** Mr. King moved to continue the hearing for **Townsend's Hometown Grocery LLC (52-27)** to January 27, 2010 to be Hearing #1, seconded by Mr. Bakas, carried unanimously.

## **VI. Informal Discussions**

1. **Rich Casella** returned to speak to the board on an informal basis regarding his property located on Whittier Highway, **Tax Map 115 Lot 3**. Mr. Casella had spoken with the Board on December 21, 2009 regarding the external building material for his project. At that time the Board noted they would like to view the site prior to making any decision and continued the discussion to this evening. Mrs. Coppinger, Mr. Bakas and Mr. King spoke in favor of this request, each giving their reasoning. Mr. King noted if the Board was to waive the requirement that it is important to specify why.

**Motion:** Mr. King moved to grant the waiver as requested for **Rich Casella (115-3)** to allow a natural appearing siding on the front side of the building and sheet metal siding on three (3) sides of the building located to the rear of the site due to the distance of the building from the road and the thick, natural buffers on each side, seconded by Mr. Bakas, carried unanimously.

Mr. Merhalski will provide a letter for Mr. Casella and include a copy for the file folder.

2. Harry Wood of Associated Surveyors requested to speak to the board on an informal basis as agent for **Peter Morrill, Morrill Homes (152-18)**. For discussion purposes only, Mr. Wood provided the Board with a copy of a plan from 1994 showing the Road Relocation for the Caverly Road and Severance Road Intersection and gave a brief history of the project. Mr. Wood stated he had spoken with the BoS regarding the discontinuation of approximately 200 feet of Caverly Road and they have requested comment from the Planning Board prior to making any decision on the request. Mr. Wood referred to a memo from the Planner and addressed his concerns. Mr. Merhalski briefly addressed the request as presented by Mr. Wood this evening, noting it was different than originally presented to him. One concern is the Town does not have documentation showing the Town owns the portion of Caverly Road. Mr. Wood provided a copy of the Quitclaim Deed for this portion of the road. If at Town meeting, the vote is to discontinue the roadway the roadway centerline becomes the boundary line between Lot 14 and the triangular piece and there is no change to the subdivision plan. It was the consensus of the Board to have Mr. Merhalski prepare a memo to the BoS stating that they concur with the recommendation, the deed is in place, and they have no other concerns.

## **VII. Unfinished Business**

## **VIII. Other Business/Correspondence**

Ms. Ryerson stepped down for the next discussion regarding the exaction fees for the **Sabatino Subdivision**.

Mr. King noted a memo dated January 12, 2010 from the Town Planner regarding the Towns request for release of funds taken from the Sabatino Subdivision for roadway improvements at the Fox Hollow Road/Route 25 intersection. Based on the Planning Board's conditional approval the BoS has requested that the Planning Board release the funds to be used in the project. The Planning Board discussed this and

agreed that the current Fox Hollow intersection improvement project, with a left turn lane and right turn taper, qualifies for the use of these funds, as described in the Notice of Decision. By a vote of 6-0 the Board authorizes the Town to utilize the full amount of these funds toward the roadway improvement project at Fox Hollow Road and Route 25. Mr. Merhalski will draft a letter to the BoS informing them of their decision.

Ms. Ryerson returned to the Board at this time with full voting privileges.

## **IX. Committee Reports**

1. Mr. Merhalski presented the Board with a draft version of the Planning Board yearly report, stating it is the Board's reporting of activity for the year ending 2009. Mr. Merhalski asked for any comments or changes to the report. Board members reviewed the report as drafted. It was the consensus of the Board to have Mr. Merhalski forward the report to the BoS to be included in the 2009 Annual Report.

2. Selectmen's Draft Minutes of January 7, 2010 were noted.

3. Ms. Fairchild questioned if there was any update on the Master Plan Implementation Committee. Mr. Merhalski stated a group has not been established, the BoS established the authority to make the group and it is still at Staff level as what to do. There will be an informal meeting of staff to establish a group and notify the BoS the group is established. There will be a working group and a Staff Task Force.

4. The Board questioned how they may address any negative letters that may appear in the paper regarding the proposed amendments. Mr. Merhalski noted there was an article in the paper in which Ms. Plummer misquoted him and the texts of the amendments. He has contacted her about some of the discrepancies and invited her to review the full text of the proposed amendments. If there are letters submitted to the Editor the board would like a coordinated response that is accurate. The Board would rather be proactive than reactive.

5. Ms. Fairchild updated the Board regarding the Lakes Region Planning Commission Transportation Advisory Committee (TAC). She and Ms. Ashjian attended a meeting which was centered on the Scenic Byways. Moultonborough is the only community around the lake which is not a part of the Scenic Byway.

6. Mrs. Coppinger requested the status of Pine Woods Campground issues that need to be addressed by the Board and Code Enforcement Officer. A member of the public asked her the status of the site plan. It was noted that the site was reviewed by the Town Planner, Code Enforcement Officer, Mr. Dixon and his attorney last fall and Mr. Merhalski was under the impression that this was being handled through the courts. The Board feels this needs to be addressed and if it is not a court action then it will require a compliance hearing. Once voting has taken place at Town meeting and the Board has more time, they must address this site and others through the compliance hearing process as soon as possible.

**X. Adjournment:** Mr. King made the motion to adjourn at 9:26 PM, seconded by Ms. Charest, carried unanimously.

Respectfully Submitted,  
Bonnie L. Whitney  
Administrative Assistant