

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

Regular Meeting

February 9, 2011

Minutes

Present: Members: Joanne Coppinger, Natt King, Judy Ryerson, Chris Maroun, Jane Fairchild, Peter Jensen, Ed Charest (Selectmen's Representative); Alternate: Keith Nelson;
Town Planner: Dan Merhalski

Ms. Coppinger called the regular meeting to order at 7:00 PM.

I. Pledge of Allegiance

II. Approval of Minutes

Ms. Coppinger requested a revision to the minutes of the 26th, Page 3, Line 27 "Mr. Clark believes it is ~~translucent~~ *opaque* and the bulbs..."

Motion: Mr. King moved to approve the Planning Board Minutes of January 26, 2011 as amended, seconded by Mr. Jensen, carried unanimously.

Motion: Mr. Maroun moved to approve the Planning Board Public Hearing Minutes of January 13, 2011 as written, seconded by Mr. Jensen, carried unanimously with Ms. Coppinger abstaining.

Ms. Coppinger requested six revisions to the minutes of the 31st: 1) Page 3, Lines 2 and 3 "...shall apply to all development requiring a Building Permit, Subdivision Approval and/or a Site Plan Review Permit, ~~with a slope of 15 percent or greater, and where the proposed site disturbance is greater than 20,000 square feet in the aggregate.~~" to *...where the proposed site disturbance is 20,000 sq. ft. in the aggregate on slopes of 15 percent or greater. No construction on slopes over 25% shall be permitted.* 2) Page 3, Lines 32 and 33 "Changes include ~~the~~ expanding the types of signs permitted from the current for sale only signs, and defining the sizes permitted in specific zoning districts." 3) Page 3, Line 42 "... he is concerned the proposal includes ~~commercial~~ *short term rental* businesses." 4) Page 4, Line 29, Julia (~~inaudible~~) *Velie*. 5) Page 5, Line 29 "... moving this forward it was with ~~the condition~~ *his recommendation* that the board..." 6) Ms. Coppinger would like a paragraph added on Page 5 reflecting the discussion regarding the grandfathering of signs. She stated that without that information she would not have voted in favor of forwarding the proposal onto the Town Clerk.

Motion: Mr. King moved to approve the Planning Board Public Hearing Minutes of January 31, 2011 as amended, seconded by Mr. Jensen, carried unanimously.

III. New Submissions

IV. Boundary Line Adjustments

V. Hearings

VI. Informal Discussions

VII. Unfinished Business

Discussion of Revision of Subdivision Regulations

Board members were provided with a 6th Revised Draft of the Subdivision Regulations. The items agreed to by the Board at previous meetings were shown in green, the Board's recommended changes that still needed to be discussed were shown in blue, and the Planners prior recommended changes that still needed to be discussed were shown in red. Mr. Merhalski stated there were only three items left to be discussed, the current proposed language about limiting the density on a lot to one dwelling unit per lot, the concerns of the Road Agent regarding new road construction and guardrails. The concerns of Scott Kinmond, Road Agent were addressed by proposing section 19 – "Clerk of the Works" to regulations and revision of the guardrails section. The board reviewed the proposed language to be added to the subdivision regulations and was in agreement with the recommended wording with minor changes made, the Clerk of the Works shall be designated by the Board of Selectmen, not appointed by the Town.

The last item discussed was the language about limiting the density on a lot to one dwelling unit per lot unless the proposed site will contain a two-family, or multi-family structure. Board members had briefly discussed this at a prior work session and had concerns about bunk and guest houses, etc. Mr. Merhalski commented that the board had in the past, approved second dwellings on a lot without subdivision of the lot. He gave examples of the problems that could arise when an individual home owner wanted to sell his home. There have been instances where the lending institution would not approve a mortgage as there was not any land with the home. This would require a subdivision of the property, which may have issues regarding access, and density due to the placement of structures on the lot prior to subdivision. The board discussed many scenarios which may arise along with the reasoning to limit or not to limit one dwelling per lot. Discussion included the need for a definition section stating what was a dwelling unit, guest house or bunk house. A board member questioned what makes a guest house or bunk house a dwelling unit. It was noted that the Code Enforcement Officer determines a dwelling unit to have a kitchen consisting of water and cooking facilities. He requires a home owner to sign and record at the Registry of Deeds, a disclaimer for bunk or guest houses on non-conforming lots, stating that there are not and cannot be any cooking facilities added at any time. Questions regarding enforcement of this were raised. After a lengthy discussion, the following motion was made to accept the draft language.

Motion: Ms. Ryerson moved to accept the draft language as written for Section 7.1(F) of the Draft Subdivision Regulations stating "Only one (1) dwelling unit shall be permitted on each lot unless the propose site will contain a two-family, or multi-family structure." seconded by Mr. King

Board members were in agreement that they need to complete a definition section in the upcoming year.

Ms. Coppinger called for a vote on the Motion on the floor. Motion carried 4 to 3 in favor.

Motion: Mr. King moved to approve the Subdivision Regulations as amended by the Board through all of the prior meetings or work sessions, seconded by Mr. Charest. Motion carried 7 to 0 in favor.

Mr. Merhalski commented that the Board will need to hold a Public Hearing on the proposed changes prior to voting to adopt them and their taking effect.

Motion: Mr. King moved to schedule a Public Hearing for the second regular meeting in April for the proposed changes to the Subdivision Regulations, seconded by

Ms. Fairchild. Motion carried 7 to 0 in favor.

Discussion of Revision of Site Plan Regulations

Board members were provided with a 3rd Revised Draft of the Site Plan Regulations. Mr. Merhalski noted the items agreed to by the Board at previous meetings were shown in green, the Board's recommended changes that still needed to be discussed were shown in blue, and the Planners prior recommended changes that still needed to be discussed were shown in red. The Board last worked on the revisions to the Site Plan Regulations at their work session in September. At that time the Board could not reach a consensus regarding design standards for signs in the commercial district or the village district. The Board reviewed the draft language in Section 11, B, 5a, b, c, & d. After a lengthy discussion, they could not come to an agreement for the type of material, colors or who should be approving the designs for all signs. It was stated that throughout the work sessions and Public Hearings for the proposed changes to the Zoning Ordinance the need to review the sign ordinance in its entirety. It was the decision of the board not to make any changes to this section until such time that there is a complete review of Article V of the Zoning Ordinance, Signs.

The Board reviewed and agreed to the proposed changes to Sections 11, C (1) and (4). They then started a brief discussion regarding Landscaping Design Standards. The discussion included plantings of non-invasive species and language discouraging the planting of Arbor Vitae's. Mr. Maroun disagreed with this, as he stated that there are instances where Arbor Vitae's would do well in providing a buffer in a narrow area. It was the decision of the board to wrap up their discussion at this point and continue it again as time allows at their next regular meeting on February 23rd.

VIII. Other Business/Correspondence

1. Selectmen's Draft Minutes of January 27 and February 3, 2011 were noted.

IX. Committee Reports

X. Adjournment: Mr. King made the motion to adjourn at 9:04 PM, seconded by Mr. Charest, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant