

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

Regular Meeting

February 23, 2011

Minutes

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

Ms. Coppinger called the regular meeting to order at 7:03 PM and appointed Keith Nelson to sit on the board with full voting privileges in place of Chris Maroun.

I. Pledge of Allegiance

II. Approval of Minutes

Motion: Mr. King moved to approve the Planning Board Minutes of February 9, 2011 as written, seconded by Mr. Charest, carried unanimously.

III. New Submissions

IV. Boundary Line Adjustments

V. Hearings

1. Continuation of Public Hearing - Rizzo Family Trust (14-10)(40 Jones Road)
Subdivision

Mr. Merhalski updated the Board regarding the status of Jones Road. They have received documentation that it is a Class V Town Road. Mr. Merhalski spoke with the Road Agent, Scott Kinmond who has recommended that the road be upgraded to town specifications to the proposed hammer head turnaround.

Dave Dolan of David M. Dolan Associates, PC and Tom Rizzo were present in the audience for the hearing. Mr. Dolan referred to Attorney Nix's letter of February 17th in which it was his opinion that Jones Road is a public Class V road. Mr. Dolan stated the last hearing was continued to allow input regarding the status of the road and to allow board members to view the road. Mr. Dolan stated that they were here this evening to receive input from the board regarding the upgrade of the roadway. Mr. Rizzo stated that the road was rebuilt approximately 10-15 years ago. It is approximately 16 – 18 feet in width with an established gravel surface. Mr. Rizzo commented that he builds roads and doesn't want to disturb the existing roadway. He believes if they upgrade the road that there will be loose material and cause washouts. They would like to maintain the rural county road that is there. Mr. Rizzo was not aware that the Road Agent was requesting the road to be upgraded to the proposed hammer head. It was noted the hammer head could be relocated closer to proposed lot 3 and the remaining portion of the road would become a driveway, which the town would no longer maintain. Mr. Kinmond had recommended the travel width to be 18' with 4' shoulders on each side. He has requested plans and cross sections on the portion of the upgraded sections of the roadway. Mr. Rizzo will need to make the decision on the location

of the hammer head. Mr. Dolan commented they will contact the road agent and arrange to meet on site with him regarding the road. Then they will submit a revised plan to the board for review.

Motion: Mr. King moved to continue the hearing for the **Rizzo Family Trust (14-10)** to March 23, 2011, seconded by Mr. Charest, carried unanimously.

VI. Informal Discussions

VII. Unfinished Business

Discussion of Revision of Site Plan Regulations

Board members were provided with a 4th 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 last meeting and it was noted that they had made the decision not to make any changes to Section 11 B, Signs, until such time that there is a complete review of Article V of the Zoning Ordinance.

It was noted the Board had begun a brief discussion at their last meeting regarding Landscaping Design Standards and that Mr. Maroun had a lot of input. It was noted that he was not present this evening. Ms. Fairchild commented that she had researched the regulations for a few other communities and had drafted language for proposed wording for landscaping. She provided members the draft for review. The board briefly reviewed the draft language and requested that they hold off on making any final changes until Mr. Maroun was able to review and comment on it and asked that she forward an electronic copy to him and the Planner prior to the next meeting.

The Board reviewed and agreed to the proposed changes to Sections 8, D (5) 12, A (6) and 13, F. They then discussed Section 13, A Enforcement, in which they made several changes, which included adding wording that the notice to the owner of a site in violation be sent Certified Mail, Return Receipt.

Ms. Ryerson requested the board return to Section C, 3, (c) regarding elevations. After a lengthy discussion with several members giving their opinions on what they believe were floor elevations verses building elevations and what the board would like to see presented at a hearing, it was their decision to change Section C, 3, (c) to Finished Floor Elevations and to add language to Section D, becoming new 5, stating An accurate (to scale) rendering or depiction of what the exterior of the building will look like shall be supplied.

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 March 23rd.

Verizon Letter of Credit - Verizon Wireless previously submitted a request for the Board's approval to change the issuing agent for the Verizon Letter of Credit (LOC) for the cell tower located off Glidden Road (**Tax Map 141, Lot 16**). The request was approved and their agent has submitted a new LOC for the Board to review and accept. Mr. Merhalski stated that he sent the LOC to the Town Counsel and that he approved the language of the LOC.

Motion: Ms. Fairchild moved that the board authorize the new Letter of Credit for Verizon Wireless and return the old Letter of Credit after the new one is in effect, seconded by Mr. Charest, carried unanimously.

Mr. King stated that there was a review being done of the Comprehensive Shoreland Protection Act (CSPA), and a bill so that it may possibly be revoked. Mr. King expressed his concerns with the CSPA

being revoked and asked if the board should take action. It was noted that the Town's Zoning Ordinance refers to the statute and the town supports it. Tom Howard commented that there are three bills which are very similar. There are two Senate Bills and one House Bill, one being the repeal of the CSPA. The Board discussed this briefly and commented that they should send a letter opposing the repeal and any substantial change to the CSPA. Mr. King will draft a letter for review by the Chair and or Planner.

Mr. Charest announced that he is again running for Selectmen, as is Mr. Jensen and Ms. Ryerson and Mr. Howard for Planning Board. He encouraged members to vote on March 8th.

VIII. Other Business/Correspondence

1. Zoning Board of Adjustment Draft Minutes of February 16, 2011 were noted.
2. Selectmen's Draft Minutes of February 17, 2011 were noted.

IX. Committee Reports

- X. Adjournment:** Mr. King made the motion to adjourn at 8:56 PM, seconded by Ms. Fairchild, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant