

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

Regular Meeting

March 23, 2011

**Minutes**

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

**I. Pledge of Allegiance**

Ms. Coppinger called the regular meeting to order at 7:00 P.M, and appointed Keith Nelson to sit on the board with full voting privileges in place of Judy Ryerson. She noted that Ed was re-appointed as the Selectmen's Representative and welcomed Tom Howard as the new Board member.

Ms. Coppinger noted this was the annual organizational meeting and suggested the Board elect their Officers and put off the review of the Policies and By-laws to end of the meeting. Board members were in agreement with the suggestion.

**II. 2010 Board Organization – Election of Officers and Review of Policies and By-Laws**

Ms. Coppinger called for nominations for Chair and Vice Chair.

**Motion:** Mr. King moved to nominate Joanne Coppinger as Chairperson, seconded by Ms. Fairchild, carried unanimously.

**Motion:** Ms. Coppinger moved to nominate Natt King as Vice Chair, seconded by Mr. Charest, carried unanimously.

**Motion:** Mr. Howard moved to designate staff to act in the capacity of Secretary pertaining to Minutes and Applications to the Planning Board, seconded by Mr. King, carried unanimously.

**III. Approval of Minutes**

**Motion:** Mr. King moved to approve the Planning Board Minutes of March 9, 2011 as written, seconded by Ms. Fairchild, carried unanimously with Mr. Maroun, Mr. Charest and Mr. Howard abstaining.

**IV. New Submissions**

1. Trey and Anthony Wilson (23-15)(1225 Whittier Highway)  
Site Plan Review

This was a request for a site plan review. The applicant is proposing locating a new dwelling on the existing commercial lot. Mrs. Coppinger noted the request for waivers dated February 11, 2011 from Hambrook Land Surveying.

**Motion:** Mr. King moved to accept the application for **Trey and Anthony Wilson (23-15)** grant the waivers for the purposes of acceptance only and to schedule a hearing for this evening to be Hearing #2, seconded by Ms. Fairchild, carried unanimously.

## V. Boundary Line Adjustments

## VI. Hearings

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

Dave Dolan of David M. Dolan Associates, PC and Tom Rizzo were present in the audience for the hearing. Mr. Dolan referred to the amended plan which was revised from a five (5) lot subdivision to a four (4) lot subdivision. Lots 1 & 2 share a common drive, Lot 3 was eliminated and the others renumbered accordingly. They have revised the Right of Way (ROW). Mr. Dolan noted he had met on site earlier with the Road Agent and have provided the revised plan to the Fire Chief and Road Agent. Mr. Dolan stated he had not submitted cross sections of the upgraded sections of the roadway as they were waiting for input from the board on the revision.

The board reviewed a memo dated March 22, 2011 from the Road Agent. Mr. Kinmond made several recommendations, including that the width of Jones Road be upgraded to an 18' gravel surface with 4' shoulders from Sheridan Road to the proposed hammer-head.

Hollis Austin raised a concern on point of order. Questioning the capacity in which Mr. Jensen was acting at this time. Ms. Coppinger commented that the board has had a practice that alternate members have had an expiration or term, which is not required. Mr. Jensen was seated to fill the remainder of Jim Bakas's term. After the next election of board members he reverted back to an alternate. Mr. Jensen commented that he had the same question and noted that he was not seated at this time. Mr. Merhalski stated he was the person who told Mr. Jensen to sit at the table, as his appointment continues, noting statutorily Mr. Jensen can remain on the board as an alternate.

Board members discussed the upgrading of Jones Road with the applicant. Mr. Rizzo stated that he was willing to upgrade the shoulders to 4'. He did not wish to upgrade the entire width of the road to 18'. Board members asked if there was a reason for him to request a waiver of this requirement. Mr. Rizzo stated that he was not changing anything. He commented that the Town now maintains Jones Road up to the farm and they are proposing the hammer-head. It was noted that there is a change, as the applicant was proposing to create a 12.22 acre lot around the existing farm, and that is why the entire length of the road must be upgraded. If Mr. Rizzo does not want to upgrade the entire road, one option would be to eliminate proposed lot 3 (12.22 ac) and relocate the hammer-head to the area near proposed lot 2. He would then only have to upgrade the road to the hammer-head.

After a lengthy discussion, Mr. Rizzo was willing to amend the plan and only have two new lots, not three, eliminating the proposed 12.22 acre lot with the farm. Mr. Dolan will revise the plan and provide the board with engineering plans for the cross section of the portion of the roadway to be upgraded from Sheridan Road to the hammer-head.

**Motion:** Mr. King moved to continue the hearing for the **Rizzo Family Trust (14-10)** to April 27, 2011, seconded by Mr. Maroun, carried unanimously.

2. Trey and Anthony Wilson (23-15)(1225 Whittier Highway)  
Site Plan Review

Jim Hambrook of Hambrook Land Surveying and Trey Wilson were present in the audience for the hearing. Mr. Hambrook briefly described the developed site. There is an existing garage and the proposal is to construct a residence on the lot and to operate Mr. Wilson's excavation business out of the existing garage. They have shown three parking spaces, one for Mr. Wilson and maximum for two employees. There will be no clients to the site. Mr. Hambrook stated they must obtain ZBA approval for the use and an Equitable Waiver for the existing garage. They are on the ZBA agenda for April 6<sup>th</sup>.

Mr. Nelson stepped down from the board at this time. Ms. Coppinger appointed Mr. Jensen to sit in his place at this time.

The board reviewed with Mr. Hambrook each of the items on the Planners memo dated March 17<sup>th</sup>. All the items were discussed, with the applicant referred to the Code Enforcement Officer for his opinion regarding #1, lot calculations, if this is applicable. Screening was discussed at length, as well as the type of "building" to be constructed. The board noted they need to know what the residence will look like, is it a modular home or a steel building with living quarters and a two-car attached garage.

After a lengthy discussion regarding each of the issues contained in the memo, Mr. Hambrook requested a continuance of the public hearing to allow the applicant to make a decision on the type of building, receive input from the Code Enforcement Officer regarding the Lot Calculations, and to prepare a revised plan to include the type of building and the changes as discussed this evening.

**Motion:** Mr. King moved to continue the hearing for **Trey and Anthony Wilson (23-15)** to April 13, 2011, seconded by Ms. Fairchild, carried unanimously.

**VII. Informal Discussions**

**VIII. Unfinished Business**

Next on the agenda was the discussion of the revision of the Site Plan Regulations. The board went out of order from the agenda, moving onto the next item.

**IX. Other Business/Correspondence**

1. Application For and Notice of Voluntary Merger for Michael J. & Sandra L. McManus (120-25 & 32) was presented to the board. There was no input from the Board or public.

**Motion:** Mr. Charest moved to approve the Voluntary Merger for **Michael J. & Sandra L. McManus (120-25 & 32)** as presented, seconded by Mr. King, carried unanimously.

2. Application For and Notice of Voluntary Merger for William M. Jr. & Linda H. D'Alessandro (120-39 & 120-40) was presented to the board. There was no input from the Board or public.

**Motion:** Mr. Maroun moved to approve the Voluntary Merger for **William M. Jr. & Linda H. D'Alessandro (120-39 & 120-40)** as presented, seconded by Mr. Jensen, carried unanimously.

Mr. Nelson returned to the board at this time with full voting privileges.

3. Pat Tarpey – Lake Winnepesaukee Watershed Association - Ms. Tarpey stated that she was the Watershed Outreach Coordinator and provided the Board with a pamphlet of the Center Harbor Subwatershed Management Plan. She wanted the Board to be aware that there is a plan to establish a Subwatershed Management Plan which would include Meredith, Center Harbor and Moultonborough. She briefly explained that they would like to form a Subwatershed Committee and that they were looking for representatives from the Planning Board, Zoning Board and Conservation Commission. The plan is to start this in June or July of 2011.

Ms. Coppinger noted it was after 9:30 and there were still three or four items remaining on the agenda, Discussion of Revision of Site Plan Regulations, Discussion of Possible Projects for 2011 Work Plan, Review of Policies and By-Laws and Alternates. As there was not adequate time to complete all of the remaining agenda items, it was the decision of the Board to move to the applications for alternates.

4. Appointment of Alternates - Ms. Coppinger noted the board was in receipt of two letters of interest to serve as Alternates to the Planning Board, one from Peter Jensen and the other from Eric Taussig.

**Motion:** Mr. Nelson moved to re-appoint Peter Jensen as an Alternate Member of the Planning Board, seconded by Mr. Maroun

Board members questioned if there was a length/term for an Alternate. After a brief discussion it was the decision to include a term. The motion was amended to include a term expiring in 2014. A vote on the motion as amended was carried unanimously.

It was noted this procedure should be reviewed when the board reviews their Policies and By-Laws, but was discussed again at this time. Board members thought that the terms should be staggered and expire in the same manner as the elected members.

**Motion:** Mr. Nelson moved that the term for alternates be limited to a three (3) year period, being measured from the closest annual town meeting. Seconded by Mr. Maroun

Eric Taussig stated he had emailed the Town Planner expressing his concern regarding his letter of interest to serve as an alternate, dated January 31, 2011. He stated that he had not received any communication from the board, but did receive an email from the planner stating applications would be considered on March 23<sup>rd</sup>. Mr. Taussig had procedural concerns with the process of appointing alternates and with Mr. Jensen being seated at the table this evening. Mr. Taussig commented in regards to terms, that on the website there is a term for Keith as an alternate, but not for Peter.

Hollis Austin referred to the “mast head” on the website in which had Keith and Peter both listed as alternates, one with an ending term and one without. Mr. Austin stated that he was confused as to if Mr. Jensen holding two positions simultaneously, one as a member and as an alternate. Mr. Merhalski explained that the board voted to appoint Mr. Jensen to fill in the vacant slot until the next election. His term as an alternate continued. He stopped being an alternate when he became a regular member when he was appointed by the board. That appointment ended with Mr. Howards election and Peter became an alternate again.

Board members acknowledged Mr. Taussig and Mr. Austin’s comments and concerns and chose to move on at this time. Ms. Coppinger stated there was one more application for alternate.

**Motion:** Mr. Nelson moved to appoint Eric Taussig as an Alternate Member of the Planning Board, seconded by Mr. Charest.

There was a brief discussion on the motion with Mr. King commenting that he would not be able to vote for Mr. Taussig, Ms. Coppinger noted the same, as did Mr. Maroun and Ms. Fairchild. There being no further discussion on the motion Ms. Coppinger called for a vote on the motion. Motion failed 2 to 5.

5. Selectmen's Draft Minutes of March 17, 2011 were noted.

Mr. King noted that it was approaching 10 PM and that the board had a work session next week. Therefore it was decision that the board to continue the remaining items, Discussion of Revision of Site Plan Regulations, Discussion of Possible Projects for 2011 Work Plan and the Review of Policies and By-Laws to March 30, 2011.

**X. Committee Reports**

**XI. Adjournment:** Mr. Nelson made the motion to adjourn at 10:02 PM, seconded by Mr. Charest, carried unanimously.

Respectfully Submitted,  
Bonnie L. Whitney  
Administrative Assistant