

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

Regular Meeting

April 27, 2011

Minutes

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

I. Pledge of Allegiance

Ms. Coppinger called the regular meeting to order at 7:00 P.M. and appointed Peter Jensen and Keith Nelson to sit on the board with full voting privileges in place of Judy Ryerson and Chris Maroun.

II. Approval of Minutes

Motion: Mr. Howard moved to approve the Planning Board Minutes of April 13, 2011 as written, seconded by Mr. Jensen, carried unanimously with Mr. King and Mr. Nelson abstaining.

III. New Submissions

IV. Boundary Line Adjustments

V. Hearings

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

Ms. Coppinger noted a letter from David M. Dolan, LLS, Agent for the Rizzo Family Trust requesting a continuance of the Public Hearing to May 11, 2011.

Motion: Mr. King moved to continue the hearing for the Rizzo Family Trust (14-10) to May 11, 2011, seconded by Ms. Fairchild, carried unanimously.

VI. Informal Discussions

1. **Randy Frye** requested to speak to the Board on an informal basis regarding property of Collins Brook, LLC, **Tax Map 76, Lot 13**, located on Whittier Highway. Mr. Frye is a logger and would like to do a conventional style logging of the site. It will be a selective cut of approximately 50% of the trees, which consists of hardwood and evergreen trees. The board discussed maintaining a twenty-five foot buffer along the boundary lines of the lot. Mr. Frye stated the lot was a natural forested lot located in Commercial Zone A, it will be a forest management cut, and he was not aware of any proposed commercial use. The board referred to the Zoning Ordinance noting a buffer is required for commercial uses in Zones A and B. Mr. Frye stated that there were not many trees within the 25 foot setback from the road and that he will need access to the site. It was noted if the site were to be developed it would need site plan review from the Planning Board, and they may require a buffer to be replanted. Mr. Frye agreed

to leave as much of the natural buffer in the 25 foot setback of Route 25, with the exception of a driveway cut.

Motion: Mr. King moved to allow the selective cutting on Tax Map 76, Lot 13, Whittier Highway as discussed with the requirement that a twenty-five (25) foot vegetative buffer along Route 25 (Edge of Right of Way) be maintained with the exception for a driveway cut. Seconded by Ms. Coppinger, passed 5 to 1.

VII. Unfinished Business

Discussion of Revision of Site Plan Regulations

It was noted that the Board had previously discussed the last section left to be reviewed, Section 11, C. Landscaping. At the work session on March 30th board members were provided with material prepared by Ms. Fairchild. At that time they agreed that the landscaping should be addressed in two parts, the buffer and the interior landscaping and they would like to address only the buffer at this time. Mr. Maroun and Ms. Fairchild agreed to work together on preparing draft language that would include language from both of their drafts that would focus only on the buffer at this time. Mr. Maroun was not present this evening, nor have they prepared revised language. It was the decision of the board to continue the discussion until the 11th, to allow time for Mr. Maroun and Ms. Fairchild to work together on draft language.

Discussion of Revision of Subdivision Regulation Amendments

Following the meeting on the 13th, Mr. Merhalski added two sections to the Subdivision Regulations addressing the measurement of lake frontage in the CSPA and the addition of cable infrastructure for new subdivisions. Mr. Howard noted that there currently was a definition for on page 2 of the regulations and questioned if the additional language proposed as section 8.1 E was redundant. Board members reviewed each section, and agreed to keep them both, making minor changes to the proposed language, and then using the same language for current Section 3.14, renaming it Shore Frontage. It was noted that there was a difference between frontage and shore frontage. They would like all references to frontage reviewed in the regulations, to see if they are referring to water or street frontage, adding “shore” to those with water references.

Next the Board reviewed the draft language referring to cable infrastructure for new subdivisions. They were in agreement to strike sentence 2 of the proposed language and to include the language as Section 6.2 Easements For Utilities, Access, and Public Service, new item E.

Mr. Howard stated that as he was not present during the review of the Subdivision Regulations and if the Board would allow, he would like to revisit a few sections prior to the scheduling of the Public Hearing. These included minor grammar changes, rewording and renumbering of Sections 3.17, 3.26, 3.27, 3.28, 4.3 (A)5, 4.13 (C).

Mr. Howard questioned Section 7.1 F regarding the number of dwelling units and 7.2 (D)2, Minimum width of Roadway. Board members briefly recapped the lengthy discussions regarding both of these two sections. With several expressing their opposition to include section 7.1 F in the regulations and the requirement of the minimum width of the roadway being 22 ft. Mr. Howard stated there are many comments in the Master Plan relating to maintaining and preserving the rural character of the town, and that requiring roads to be 22 feet in width seems to not be keeping with that vision. It was noted both the Fire Chief and Road Agent were present last year for the discussion on roadway width, and both would have preferred 24 feet.

Ms. Ashjian was present in the audience and made reference to a copy of the NHPA Planning Handbook for New Hampshire, which has a section on scenic roads and definitions the board had been discussing this evening. She questioned if some of the roads discussed would rate as a local road according to the "Green Book", the AASHTO standards. She urged the Board to look at this issue with more flexibility, as engineering standards, Green Book design, etc. do allow for a lot of flexibility when dealing with rural areas. Mr. Howard commented that he liked the word flexibility and that the Board should have some means of building in flexibility into the subdivision regulations.

Ms. Fairchild suggested the Board make a request of the planner to prepare some form of a summary of material that may be relevant to scenic roads programs and planning practices.

After discussing these two items [7.1 F and 7.2 (D) 2] Mr. Howard commented that he would like the Board to revisit each of these items prior to the scheduling of a Public Hearing. Members discussed this, noting they had spent a great amount of time reviewing and revising the regulations and suggested moving forward with a public hearing for the remaining items, and not include the section regarding dwelling units or minimum width of roadways.

Ms. Ashjian provided the board with copies of chapters on Demolition Review Ordinance and Scenic Roads from the NHPA Planning Handbook for New Hampshire.

VIII. Other Business/Correspondence

Discussion of Possible Projects for 2011 Work Plan – The Board continued their discussion of the 2011 Work Plan, still taking into account the Master Plan Short Term projects, and the other priorities that the Board has discussed (Sign Ordinance, Definitions, etc.). Based on that discussion, Mr. Merhalski had prepared a draft 2011 Work Plan as a starting point for the board to work from. They reviewed the Action Items on the draft. They referred to the MPIC list, noting that those items on the list should be included on the Work Plan. They suggested adding a column to the list, and include the items to be addressed, as discussed and combined at the prior meeting.

They renamed Action Item 3 to read "Review Commercial Development Goals including Access Management, added two Action Items, Explore Innovative Land Use Controls and Update Soil Types in the Zoning Ordinance. They now have a total of nine (9) Action Items on their 2011 Work Plan. The Board then reviewed the Action Items and prioritized them.

2. Zoning Board of Adjustment Draft Minutes of April 20, 2011 were noted.

3. Selectmen's Draft Minutes of April 21, 2011 were noted.

IX. Committee Reports

X. Adjournment: Mr. King made the motion to adjourn at 9:39 PM, seconded by Mr. Jensen, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant