

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

**Regular Meeting**

**June 8, 2011**

**Minutes**

Present: Members: Joanne Coppinger, Natt King, Judy Ryerson, Chris Maroun, Tom Howard;  
Ed Charest (Selectmen's Representative)  
Alternates: Peter Jensen, Keith Nelson – arrived at 7:10  
Excused: Member: Jane Fairchild

**I. Pledge of Allegiance**

Ms. Coppinger called the regular meeting to order at 7:04 P.M. and appointed Peter Jensen to sit on the board with full voting privileges in place of Jane Fairchild.

**II. Approval of Minutes**

**Motion:** Mr. King moved to approve the Planning Board Minutes of May 25, 2011 as written, seconded by Mr. Howard, carried unanimously.

**III. New Submissions**

**IV. Boundary Line Adjustments**

**V. Hearings**

1. Continuation of Public Hearing Izzy Atlixco, LLC d/b/a El Mariachi (44-25 & 31) (1094 Whittier Highway) - Site Plan Review

Ms. Coppinger stated this was a continued hearing for Site Plan Review for the Lincoln Family Revocable Trust 2003.

Dave Dolan of David M. Dolan Associates, PC was present representing the applicant. Ed Lincoln, Trustee and Izzy Lira and were also present in the audience for the hearing. Mr. Dolan stated the only outstanding issue was regarding the parking on Lot 31. Mr. Dolan stated that he had received a letter dated June 3, 2011, from the Code Enforcement Officer (CEO), stating that after further review of additional material provided to him (the CEO), that the property in question (Lot 31) is grandfathered for the parking of the restaurant. Board members were provided with a copy of the letter dated June 3<sup>rd</sup>.

Ms. Coppinger referred to the memo dated May 25<sup>th</sup> from the Town Planner regarding the Zoning and Site Plan Issues/Deficiencies for the project and noted all the issues have been addressed. They have submitted a waiver request relating to the location of the sewer lines.

There was a brief discussion relating to the parking spaces on Lot 31, the number of spaces and if they were to be delineated. It was noted the grass has grown in on the lot, and members were okay with that as the restaurant was only open for seasonal use. At the meeting on May 11<sup>th</sup>, the board had recommended the installation of some type of screening of the parking area as seen from Route 25, and the applicants were in agreement to the recommendation. Mr. Lincoln stated that he mows all of that area,

the lot and the swale and he would prefer not to plant any shrubs or screening as he wouldn't be able to mow everything along the edge of the road. It was noted as the parking had been determined to be grandfathered, the board could not require the applicant to install screening as previously recommend. Mr. Dolan will amend the plan to remove the proposed buffer and add notation that the existing lawn between the parking and Route 25 will be maintained.

There were no additional questions from the Board at this time. Ms. Coppinger asked for questions or comments from the public, noting there were none.

**Motion:** Mr. King moved to approve the site plan for **Izzy Atlixco, LLC d/b/a El Mariachi (44-25 & 31)** as presented and to authorize staff to prepare the Notice of Decision using the boiler plate as the template, seconded by Mr. Maroun, carried unanimously.

Mr. Nelson took his seat at the table at this time.

2. Public Hearing for the amendment of Site Plan Regulations

Ms. Coppinger stated this was the Public Hearing for the amendment of the Site Plan Regulations and called for public input. Cristina Ashjian spoke to the section regarding landscaping, developers should be required to speak with the board prior to cutting trees and vegetation on sites. There should be an effort for commercial developers to retain existing mature trees and keep native vegetation instead of replanting buffers and vegetation.

Following the meeting on May 25<sup>th</sup>, Mr. Merhalski further revised the Site Plan Review Regulations, preparing a Final Draft for Public Hearing. Board members reviewed the Final Draft and had the opportunity to discuss with the board any additional amendments. These included amendments to Sections 2, 3, 5C & D, 9, 10A (8), 10D (2), 11C (4), 11D (5) and 13A.

**Motion:** Mr. King moved to approve the Site Plan Regulations as amended this evening, seconded by Mr. Jensen, carried unanimously.

3. Public Hearing for the amendment of Subdivision Regulations

Ms. Coppinger stated this was the Public Hearing for the amendment of the Subdivision Regulations and called for public input. It was noted there was none.

Following the meeting on May 25<sup>th</sup>, Mr. Merhalski further revised the Subdivision Regulations, preparing a Final Draft for Public Hearing. Board members reviewed the Final Draft and had the opportunity to discuss with the board any additional amendments. These included amendments to Sections 3.19, 3.24(a), 4.4, 4.7C, 4.10, 7.1 B & D, 7.2D (11, 19 & 20), 7.3E, 8.3B and 8.3E

**Motion:** Ms. Ryerson moved to approve the Subdivision Regulations as amended this evening, seconded by Mr. Charest, carried unanimously.

**VI. Informal Discussions**

**VII. Unfinished Business**

**VIII. Other Business/Correspondence**

Application For and Notice of Voluntary Merger for Glenn T. & Linda E. Carlson (120-22 & 23) Voluntary Merger was presented to the board. There was no input from the Board or public.

**Motion:** Mr. King moved to approve the Voluntary Merger for **Glenn T. & Linda E. Carlson (120 - 22 & 23)** as presented, seconded by Mr. Jensen, carried unanimously.

2. Zoning Board of Adjustment Draft Minutes of June 1, 2011 were noted.

3. Selectmen's Draft Minutes of June 2, 2011 were noted.

**IX. Committee Reports**

**X. Adjournment:** Mr. King made the motion to adjourn at 9:12 PM, seconded by Mr. Jensen, carried unanimously.

Respectfully Submitted,  
Bonnie L. Whitney  
Administrative Assistant