

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

Regular Meeting

July 27, 2011

Minutes

Present: Members: Joanne Coppinger, Judy Ryerson, Jane Fairchild, Chris Maroun,
Tom Howard, Ed Charest (Selectmen's Representative)
Alternates: Peter Jensen, Keith Nelson – arrived at 7:15; Dave Holden – Interim Planner
Excused: Member: Natt King

I. Pledge of Allegiance

Ms. Coppinger called the regular meeting to order at 7:00 P.M. and appointed Peter Jensen to sit on the board with full voting privileges in place of Natt King.

II. Approval of Minutes

Motion: Mr. Charest moved to approve the Planning Board Minutes of July 13, 2011, as written, seconded by Mr. Howard, carried unanimously with Mr. Maroun abstaining.

III. New Submissions

IV. Boundary Line Adjustments

V. Hearings

VI. Informal Discussions

The Board went out of order from the agenda, taking up Other Business/Correspondence at this time.

VIII. Other Business/Correspondence

1. Mr. Holden noted that he had received an e-mail from the LRPC requesting a letter of support from the Planning Board for a proposal they are submitting to NH DES for a watershed assistance grant in order to develop a restoration plan for the Moultonborough Bay Inlet subwatershed of Lake Winnepesaukee. Staff prepared a letter similar to what was prepared in 2010 by the prior Town Planner, Dan Merhalski, for board review. The board reviewed the letter of support.

Motion: Mr. Jensen moved to authorize the Chairman to sign the letter of support as prepared, seconded by Mr. Charest carried unanimously.

2. Ms. Coppinger stated that Jane Fairchild had resigned her position on the Moultonborough Capital Improvements Plan Committee, and therefore another member must be appointed as the Planning Board representative. Ms. Fairchild briefly updated the board on the progress of the CIPC and her reason for submitting her resignation. Board members discussed the CIPC, their charge, the work that has been

completed to date and what must be done going forward. Ms. Fairchild commented that they CIPC has made great progress on the CIP, noting they have a target date of September 1st for the submittal of their report to the Board of Selectmen. Mr. Jensen is an alternate member of the CIP and it was felt that it would be beneficial for the Planning Board to appoint Mr. Jensen as a full member to the CIP as the Planning Board representative as he has participated in the meetings to date, and the target date for the completion of their report is approaching quickly. It would be difficult for a new member to get up to speed in such a short time.

Motion: Ms. Fairchild moved to nominate Mr. Jensen to fill the vacant seat as a permanent member of the CIPC, seconded by Mr. Howard, carried unanimously.

3. Noted, letter dated July 18, 2011 from the Code Enforcement Officer regarding Tax Map 135 Lot 28 in which the CEO approved a 198 sq. ft. addition under Article VI A (5).

4. Zoning Board of Adjustment Draft Minutes of July 20, 2011 were noted.

5. Selectmen's Draft Minutes of July 21, 2011 were noted.

VII. Unfinished Business

1. Discussion relating to Access Management

Mr. Holden updated the Board relating to Access Management. He noted that he had met with Scott Kinmond, DPW Director and reviewed with him the classifications of the roads in Moultonborough. Mr. Kinmond noted his concern with Moultonboro Neck Road, as it is a state road that is plowed by the town in the winter. Another concern of his was that our Site Plan Regulations require an applicant provide an approved Driveway Permit form NHDOT with their application for site plan review. He would prefer that the town be involved with the planning of a driveway cut, as once NH DOT issues a permit, it is difficult to have an applicant relocate it. The Board had discussed this issue at the prior meeting, and Mr. Holden suggested the regulation be changed to require an applicant to file concurrently with NH DOT, not requiring them to provide an approved permit with their application. Mr. Holden will be meeting with Mark Morrill, Engineer, NH DOT District 3 on August 2, 2011.

2. Discussion relating to the Revision of the Sign Ordinance

Mr. Holden first provided the board with a copy of the existing Sign Ordinance (Article V) that had been revamped into a new format. The format was slightly different than the one the board reviewed on the 13th. Given that the Board is going to revise Article V and that process will include the need for new sections, the format presented this evening better allowed for a new section as each section has its own number, i.e. 501, 502, 503 etc which is more flexible. Within each section, the agreed to format holds to a traditional outline orientation. With this revised format the Board could detail/propose a section heading and have all the drafting and revising contained to that section only. This process should be easier and more efficient. There was only a small amount of new text, which was shown in bold. Board members reviewed and discussed the revamped format, agreeing it was cleaner and easier to follow.

Motion: Mr. Charest moved to approve the formatting as provided by Mr. Holden, dated July 19, 2011, seconded by Mr. Jensen, carried unanimously.

Mr. Holden stated as this section was chosen, this version could form the basis for going forward with a new format to use on other, or even new Articles of the Zoning Ordinance.

Next, Mr. Holden stated the board may wish to have the existing Sign Ordinance, which now has been reformatted, reviewed by Town Counsel to determine if it too must be adopted through the amendment process. In this case, given the extent of these formatting changes, it likely would need to be “readopted”. If this finding is made, the Board should use it as an opportunity to show how the Ordinance can be made more user friendly and introduce the new format (or some other one) to town residents. Hopefully, the format would serve as a model for future changes. Mr. Holden noted that the Board should review/revise Article V and the new format until they are satisfied with its presentation.

Mr. Holden provided the board with a Table of Contents for the entire Zoning Ordinance, noting that it should be added as a Readers’ aid, and not part of the Zoning Ordinance. Included would be a disclaimer indicating such. Proposed language was provided for the disclaimer “The Table of Contents, solely as a guide to the reader and user of the Zoning Ordinance. As such, the Table of Contents is not part of this Ordinance and should not be so construed. For this limited purpose, the Planning Board trusts it serves to facilitate your access to this Ordinance.” Mr. Nelson commented that he would like to see the disclaimer on page one (1) of the Table of Contents, at the beginning, instead of at the end as shown in the sample. It was the consensus of the board to include a Table of Contents and relocate the disclaimer to the beginning of the text.

Board members questioned if the changes as discussed so far, formatting and the addition of the Table of Contents would require approval at Town meeting. Mr. Holden will contact Town Counsel asking if all of the Article numbers could be renumbered from Roman Numerals to Arabic numbers, such as 301, 302, 303, 401, 402, 403 etc., and paragraphs within articles be relocated and moved (without changing language) without approval or does this require a town vote. He also will ask Counsel if the Table of Contents, along with the disclaimer, can be added to the existing Ordinance without it being treated as an amendment.

Last, Mr. Holden provided the Board with a “Work in Progress” new Article V that incorporated some of the existing Article V along with New Section Headings and text suggestions. He noted the format remained the same as the first handout approved earlier in the discussion. Efforts should be devoted to each section as to if it should be relocated/revise/deleted in order to meet the Boards needs. The Board reviewed the “Work in Progress” new Article V. There were sections that had been renumbered, new headings, examples of tables for permitted signs, table of maximum sign dimensions and a definition section. Board members asked if all of the current language was included in the “Work in Progress”. Mr. Holden stated he had some confusion on this, and was not certain if he had carried forward all of the current language.

The Board reviewed the list of substantive changes for the sign ordinance they had made on the meeting on the 13th which included a definition section, purpose section, address real estate signs, section addressing signage somewhere between exempted signs and temporary signs, NO references to specific initiatives, advertising/content verses business identification, location of signs and the size of signs.

It was the decision of the Board, that as homework, they will each review the material provided in the first handout, which is the existing Article V Signs, Revamped in a New Format, to make sure the content hasn’t changed from the current article (except where noted in bold), that they agree on the order and review the definition section.

Mr. Holden noted that many of the definitions were taken from a publication prepared by the American Planning Association titled “A glossary of Zoning, Development, and Planning Terms” and that it is available in the Land Use Office to view.

It was noted there is only a Voluntary Merger on the agenda for the meeting of August 10th. Therefore the remainder of the meeting can be utilized as a work session for the revision of the ordinance.

IX. Committee Reports

- X. Adjournment:** Ms. Fairchild made the motion to adjourn at 9:28 PM, seconded by Mr. Jensen carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant