

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

Regular Meeting

October 12, 2011

Minutes

Present: Members: Joanne Coppinger, Judy Ryerson, Jane Fairchild, Chris Maroun, Tom Howard, Ed Charest (Selectmen's Representative)
Alternates: Peter Jensen, Keith Nelson; Town Planner, Bruce W. Woodruff
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.

Ms. Coppinger introduced the new Town Planner, Bruce W. Woodruff to the board and public. The board welcomed Bruce, noting they were looking forward to working with him.

II. Approval of Minutes

Mr. Howard noted an error in the minutes, page 2, line 2, should be Interim Planner, not Interim project. Ms. Coppinger requested a revision on page 3, last sentence of the Discussion relating to Road Standards, striking the end of the sentence and adding "suggest standards for existing town roads".

Motion: Mr. Howard moved to approve the Planning Board Minutes of September 14, 2011, as amended, seconded by Mr. Maroun, carried unanimously with Ms. Fairchild abstaining.

III. New Submissions

1. Jonathan's Landing Condominium & Yacht Club Association (283-14) (17 London Hill Road)
Site Plan Review

This was a request for a site plan review. The applicant is proposing the addition to an existing deck on an individual unit located on a commercial site. Ms. Coppinger noted the request for waivers from Hunt Bergen, agent for Jonathan's Landing.

Motion: Mr. Jensen moved to accept the application for **Jonathan's Landing Condominium & Yacht Club Association (283-14)** grant the waivers for the purposes of acceptance only and to schedule a hearing for this evening to be Hearing #1, seconded by Mr. Maroun, carried unanimously.

IV. Boundary Line Adjustments

V. Hearings

1. Jonathan's Landing Condominium & Yacht Club Association (283-14) (17 London Hill Road)
Site Plan Review

It was noted for the record that there was no one present representing the applicant or Jonathan's Landing this evening. The Board proceeded forward with the site plan review. The proposal was for the addition to an existing deck on an individual unit located at Jonathan's Landing. This proposal was similar to the previous applications that have been approved by the Board earlier this year, with the exception that this proposal requires a Shoreland Permit, which has been approved by the NH DES. The applicant was directed to the Board by the Code Enforcement Officer as Jonathan's Landing is a commercial site, not a single family or two family unit.

Included with the application were photos provided by the applicant showing the location of the existing deck, and the proposed area depicted with rope. The Board reviewed the photos, noting the proposed deck addition will not extend out further than the existing building face. The proposed addition is to deck located on Building 6, Unit 2, and will be approximately 144 sq. ft.

Ms. Fairchild questioned the Board proceeding without a representative present. Mr. Woodruff stated procedurally the Board could conduct the public hearing, keeping in mind that there was a risk of questions raised and not being able to be answered. If that were the case, the Board could continue the hearing to a time certain when the applicant or a representative was present.

Ms. Coppinger noted her concern with the Board's procedure required for the proposed deck additions minimal in size. It was again noted that it was a commercial site and that it was the decision of the Code Enforcement as to whether the request was allowed under the section of the Zoning Ordinance adopted in March regarding commercial expansions totaling not more than 500 square feet of area. The Code Enforcement Officer had made the decision that any proposed additions required site plan approval, as it was not his determination as to where the 500 sq. ft. expansion could be utilized on the site for Jonathan's Landing.

There were no additional questions from the Board at this time. Ms. Coppinger asked for questions or comments from the public. One couple who stated they were abutters but did not state their name for the record requested what was being proposed. Ms. Coppinger invited the couple to view the plan, and explained the request for site plan approval. They thanked the Board for their time and information relating to the proposed project.

Motion: Mr. Maroun moved to approve the site plan for **Jonathan's Landing Condominium & Yacht Club Association (283-14)** and to grant the waivers as requested, seconded by Ms. Ryerson.

Mr. Howard indicated that the board should state their reasons for granting of the waivers as requested. The request was for waivers relating to contour lines, USGS bench mark and important specimen trees. Ms. Coppinger noted the requirement of the contour line could be considered an undue hardship due to the tract of land being 59 +/- acres. The request for a tree survey would not be required as there is not any proposal to remove any trees for the addition to the deck.

Ms. Coppinger called for a vote on the motion, which was unanimous.

2) Ms. Coppinger noted the board had received two (2) applications for Voluntary Mergers. Ms. Whitney Noted the applications were the result of the Tax Deeded land sold by the town. They are similar to what the Board Discussed in 2009 in which it was the consensus to authorize the chair to sign the Application for Voluntary Merger to be held in escrow by Town Counsel and released upon him at the time

of sale with him recording the deed and merger, and completing the documents at that point in time.

Application For and Notice of Voluntary Merger for Gary Barton (72-69 & 72-70). Voluntary Merger was presented to the board. There was no input from the Board or public.

Motion: Mr. Jensen moved to approve the Voluntary Merger for **Gary Barton (72 - 69 & 70)** as presented, seconded by Mr. Charest, carried unanimously.

Application For and Notice of Voluntary Merger for MYTY, Inc. (18-32 & 18-33). Voluntary Merger was presented to the board. There was no input from the Board or public.

Motion: Mr. Jensen moved to approve the Voluntary Merger for **MYTY, Inc. (18-32 & 33)** as presented, seconded by Mr. Maroun, carried unanimously.

VI. Informal Discussions

VII. Unfinished Business

Discussion relating to the Revision of the Sign Ordinance

Ms. Coppinger opened the discussion relating to the revision of the Sign Ordinance, noting she had spoken briefly with Mr. Woodruff earlier in the day regarding this. Mr. Woodruff stated that he had been working on getting up to speed on this for the past 3-4 days. He understood that Dave Holden had provided the Board with several revisions to Article V, and asked that the board set those aside. He provided the Board a handout in which he had prepared, titled Article 5 Signs (Draft Version 4). He started with the latest version from Dave, Article 5 Signs (Draft Version 3) and made changes to that. The existing language was shown in regular Times New Roman text, proposed language of Mr. Woodruff's was shown in red, and suggestions and ideas from board members was shown in italics. He included a second handout, which was a "clean" version with all of the changes made in the Draft Version 4. Mr. Woodruff commented there was a lot of material that the board had been provided with, and requested they take the handouts home and digest the information, and be prepared to work on it at the next meeting. There are no scheduled hearings for the hearing on the 26th, and the board can take the opportunity to make it a work session for the discussion for revisions to the sign ordinance.

Mr. Woodruff stated due to the deadline requirements for proposed amendments to the zoning ordinance the board must come to a decision soon as to what they are going to put forward for proposed amendments.

Ms. Fairchild commented that the handout appeared to be a complete overhaul and rewrite of the sign ordinance, and that it was her understanding the board had agreed to work on four areas, re-formatting the existing sign ordinance, adding a purpose and applicability, adding a definition section and addressing the real estate sign issue. Ms. Fairchild had taken the time to prepare a draft table that would address the size, number and duration of signs by Zones. She provided the board with a handout of the table for review.

Mr. Jensen echoed what Ms. Fairchild stated regarding the rewrite of the ordinance. He believes that any major change will cause the proposed amendment to fail, and that it would be a risk by trying to put forward an amendment which had major changes proposed. Mr. Jensen stated that it is very important that the board communicate with the voters on any proposed changes.

Board members felt that they should move forward, separating out changes that would pertain to "Hot Buttons", such as real estate signs issues. Members were in agreement that they could go forward with the re-formatting, re-ordering and re-numbering of the existing language, and propose a purpose and

applicability section in a separate warrant article. Ms. Coppinger felt that a definition section was extremely important.

Alan & Judy Ballard were present in the audience and commented that the short term rental signs were what created the issue relating to real estate signs, and at a quick look, did not appear to be changed in the definition section of the handout provided this evening.

Mr. Woodruff requested board members take the materials provided this evening home and read them, making notes for changes and discussion for the meeting on October 26th, 2011.

VIII. Other Business/Correspondence

1) Ms. Coppinger stated that the LCG was holding a fall workshop on Saturday, October 29, 2011 and all were encouraged to attend. Those wishing to attend should contact Mr. Woodruff

2) Ms. Coppinger noted a letter addressed to the Board of Selectmen, dated September 17th from William Tolman, in which they were Cc'd, regarding the detention pond on the Sabanek property. Attached to this was a letter BoS, dated September 20th from the Code Enforcement Officer, updating the Board to the status of Mr. Tolman's complaint. After a brief discussion, the Planning Board members requested Mr. Woodruff review the file for the site plan approval for the Sabanek property. Mr. Woodruff indicated he would review the file, as well as the statutes for the power the Planning Board has regarding this issue and report back to the Planning Board.

3) Zoning Board of Adjustment Draft Minutes of September 21, & October 5, 2011 were noted.

4) Selectmen's Draft Minutes of September 15, 29 & October 6, 2011 were noted.

IX. Committee Reports

X. Adjournment: Ms. Fairchild made the motion to adjourn at 8:38 PM, seconded by Mr. Howard carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant