

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

Regular Meeting

October 26, 2011

Minutes

Present: Members: Joanne Coppinger, Judy Ryerson, Chris Maroun, Tom Howard,
Natt King (arrived at 7:03), Ed Charest (Selectmen's Representative)
Alternates: Peter Jensen, Keith Nelson; Town Planner, Bruce W. Woodruff

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 Natt King and Jane Fairchild.

II. Approval of Minutes

Mr. Howard noted a typo error in the minutes on page 4; line 1 of the first complete paragraph, "shore" term rentals should be "short" term rentals.

Motion: Mr. Maroun moved to approve the Planning Board Minutes of October 12, 2011, as corrected, seconded by Mr. Charest, carried unanimously.

III. New Submissions

IV. Boundary Line Adjustments

V. Hearings

VI. Informal Discussions

VII. Unfinished Business

Ms. Coppinger stated the Board was in receipt of a letter of resignation from Jane Fairchild.

Mr. King arrived at this time and Mr. Jensen reverted to an alternate member.

Ms. Coppinger read Ms. Fairchild's letter of resignation into the record. Ms. Fairchild's term does not expire until March of 2013, therefore the board will need to appoint an alternate to fill the vacant seat until the next election in March of 2012, and at that time there will be an opening for a one year term for an elected member.

Motion: Mr. King moved to appoint Mr. Jensen as a full member of the Planning Board until the next election in March of 2012, filling the vacant seat created as a result of the resignation of Ms. Fairchild, seconded by Mr. Howard, carried unanimously.

Mr. Jensen was then seated at this time and Mr. Nelson reverted to an alternate member.

Discussion relating to the Revision of the Sign Ordinance

Mr. Woodruff opened the discussion, noting he had prepared the documents which were emailed to the board and were included as handouts in their packets this evening. At the last meeting the board had come to a consensus regarding their strategy as to what the Board would like to bring forward as proposed warrant articles. Before the board were four documents, the first handout was proposed Article 5: Signs, which was existing language that has been reformatted and rearranged logically only. There are no new words, or sentences, what has been added is the Section numbering (501, 502 etc) and headings.

The second handout is the exact document as the first, with the exception of Section 501, striking the existing Purpose, and adding a new Purpose and Intent.

The third handout, which was touched on briefly at the last meeting, was proposed Article XV: Definitions. This was begun by Dave Holden and finished by Mr. Woodruff. It takes all of the definitions that currently exist in our ordinance, in the various articles they are defined, extracts them and puts them in one place, new Section 1502. Added is Section 1503, which are new General Definitions, alphabetically. Everything in Section 1502 exists, and everything in Section 1503 is new. Mr. Woodruff feels the Board should look at these closely and spend time reviewing them. The addition of a definition section is really needed, to be able to interpret the zoning ordinance. The board briefly discussed the draft, Article XV: Definitions, as to where it should be located in the ordinance, in the front or at the end. It was the consensus of the board to include it at the end of the ordinance. Several members were confused with the document provided to the board in regards to existing definitions and proposed definitions. Mr. Woodruff noted it was explained in Section 1501 Use Guidance. After reviewing this section, members felt it should be reworded as it was not clear. Mr. Woodruff will rework this section as requested for clarification for members and the public. Mr. Jensen questioned where the “new definitions” as shown in the handout came from. Mr. Woodruff cited several sources, which included the Planning Advisory Service, NH RSA’s, APA’s glossary, Other NH municipalities, etc. Mr. Jensen felt this was important information and should be included with the language.

The fourth handout provided to the board had not been addressed. Mr. Woodruff stated it was regarding the issue of Lot Coverage. Over the past three (3) years there have been warrant articles which were passed that were in regards to changing lot coverage, what may or may not be counted in the 50 percent lot coverage calculation and the addition of lot coverage in Commercial Zones A, B and C. In specifying lot coverage in zones A, B & C, it inadvertently eliminated limiting lot coverage for any commercial use in the Residential Agricultural (R/A) zone. This was an oversight and should be amended to address lot coverage in the R/A zone.

Ms. Coppinger discussed with the Board the first handout, proposed Article V: SIGNS, which was the existing language, reformatted and rearranged, adding section numbering and headings only. It was the consensus of the board to proceed forward with the proposed amendment for the scheduling of a public hearing.

Motion: Mr. King moved that the board vote to hold the required Public Hearing on Proposed Article V: SIGNS as presented, to be included on the Ballot, seconded by Ms. Ryerson, carried unanimously 7 to 0.

Ms. Coppinger reiterated the four keys issues the Board had agreed to work on for the warrant articles for this year’s proposed changes to the zoning ordinance. They included re-formatting the existing sign ordinance, adding a purpose and applicability, adding a definition section and addressing the real estate sign issue.

The board next took up the second handout which had new language shown in Section 501: Purpose and Intent. Board members made several comments regarding the draft language, with some comments the propose language was too verbose. Board members discussed Section 501 Purpose and Intent, A. Purpose, at length. Members were in agreement with the draft language in sentences one and two and provided input and edits to the third sentence. After several edits, suggestions and rewording, Mr. Jensen crafted language which Board members were in agreement with, which included portions of the draft wording and striking others. The final draft of the Purpose will read as follows:

- A. Purpose. The purpose of this section is to create a legal framework for signage regulations that is intended to facilitate a flexible and agreeable communication between people. Such an ordinance acknowledges the need to protect the safety and welfare of the public, the need for a well-maintained and attractive appearance throughout the Town of Moultonborough and the need for adequate business identification, advertising and communication. Aesthetics and design quality are important to Moultonborough and a large percentage of that which is unattractive can be eliminated through maintenance and inspection, and by formulating reasonable guidelines. This can minimize clutter and enhance the character of the town's commercial areas and residential neighborhoods and protect the public from hazardous and distracting displays.

Next discussed was Section 501 Purpose and Intent, B. Intent. After a brief discussion the board was in agreement to add the word "lighting" to item 1, and strike the words " and uses" from item 2.

- B. Intent: Signs perform important functions that are essential for public safety and general welfare, including communicating messages, providing information about goods and services, and orienting and directing people. It is further recognized that because of potential detrimental impacts, signs must be regulated to:
 - 1. Prevent hazards to vehicular and pedestrian traffic safety by controlling the number, location, *lighting*, and placement of signs;
 - 2. Provide easy recognition and legibility of permitted signs ~~and uses~~ and promote visual order and clarity on streets;
 - 3. Facilitate efficient communication by implementing design criteria that produce signs that can be easily read and recognized without distracting elements;
 - 4. Complement the natural landscape and environment;
 - 5. Support businesses and community vitality through informing the public of available goods, services and activities.

There were no further changes to the draft language.

Motion: Mr. King moved that the board vote to hold the required Public Hearing on Proposed Article V 5: SIGNS as amended, to be included on the Ballot, seconded by Mr. Maroun, carried unanimously 7 to 0.

The board next took up the discussion relating to addressing the Lot Coverage issue that Mr. Woodruff spoke of briefly when explaining the handouts presented. The board discussed how the changes had come about when prior amendments were proposed and passed by the voters. Members were in agreement that there needs to be an amendment to add a lot coverage percentage to all commercial uses in the R/A zone, as well as adding a setback and buffer requirement in the R/A zone. It was the consensus of the board to amend Articles VI, F (2) a, and VI, F (3), and eliminate Article VI, F (2) b.

Motion: Mr. King moved that the board vote to hold the required Public Hearing on Proposed amendments to Articles VI, F (2) a, VI, F (3) and VI, F (2) b, to be included on the Ballot, seconded by Mr. Jensen, carried unanimously 7 to 0.

Ms. Coppinger noted the time (8:50), and asked what time the board wished to adjourn this evening. It was noted the only handout they had not gotten to so far was the proposed Article XV: DEFINITIONS. Board members briefly discussed this, noting this was a large task and several members were not in favor of starting the discussion this late in the evening. It was noted that there were no scheduled hearings for the next meeting on November 9th and they could get right into working on the definition section at the next meeting. Members were in agreement to not start this discussion this evening.

Mr. Woodruff provided the board with one last handout, which included draft language to the Subdivision Regulations for the institution of a Technical Review Committee (TRC). He briefly explained what the role of the TRC was and how they could assist applicants and the board. He requested board members take the draft provided this evening home and review it. He would like to discuss this at a future meeting as time allows.

Ms. Coppinger asked for any questions or comments from the public. Eric Taussig commented that he and several others were present this evening for the discussion of real estate signs. He noted he was very disturbed that this item was on the agenda and was not being taken up this evening. He was very troubled with the matrix that was being proposed and felt the board should discuss it as it was on the website. The matrix was not on the "website" as Mr. Taussig stated, but in fact on the Moultonborough Speaks Blog. The Board noted that the agenda did not include any reference to the discussion of real estate signs, but more specifically a discussion relating to the Revision of the Sign Ordinance, and that the Board had discussed handouts 1 and 2, and voted to forward the language for a public hearing. They went on to state that the matrix was a handout, prepared by former Board member Fairchild, at the end of the last meeting, in which she requested members review if for further discussion at their next meeting. Board members had not and did not discuss the matrix Mr. Taussig was referring to.

VIII. Other Business/Correspondence

- 1) Zoning Board of Adjustment Draft Minutes of October 19, 2011 were noted.
- 2) Selectmen's Draft Minutes of September October 20, 2011 were noted.

IX. Committee Reports

- X. Adjournment:** Mr. King made the motion to adjourn at 9:09 PM, seconded by Mr. Maroun carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant