

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

Regular Meeting

February 8, 2012

Minutes

Present: Members: Joanne Coppinger, Natt King, Judy Ryerson, Tom Howard,
Peter Jensen; Ed Charest (Selectmen's Representative) – arrived at 7:04
Alternate: Keith Nelson; Town Planner, Bruce W. Woodruff
Excused: Member: Chris Maroun

I. Pledge of Allegiance

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

II. Approval of Minutes

Motion: Mr. Jensen moved to approve the Planning Board Minutes of January 25, 2012, as written, seconded by Mr. Howard, carried unanimously.

III. New Submissions

IV. Boundary Line Adjustments

1. Kevin & Elizabeth Koons and Malcolm G. Power, Jr. Revocable Trust (195-7 & 195-8) (Eagle Shores Road) Boundary Line Adjustment

This was a request for a proposed Boundary Line Adjustment for Tax Map 195 Lots 7 & 8.

Ms. Coppinger noted a letter dated January 18, 2012, for the request for waiver of Sections 4.3 (A)(3), 4.3 (A)(10) and 4.3 (A)(12) of the Subdivision Regulations from David M. Dolan Associates, PC. Mr. Woodruff briefly explained the request for waivers and recommended the Board approve the request for purposes of acceptance only at this time.

Motion: Mr. Nelson moved to accept the application of **Kevin & Elizabeth Koons and Malcolm G. Power, Jr. Revocable Trust (195 -7 & 8)**, grant the waivers for the purposes of acceptance only and to schedule a hearing for this evening to be Boundary Line Adjustment #1, seconded by Mr. King, carried unanimously.

V. Hearings

1. Kevin & Elizabeth Koons and Malcolm G. Power, Jr. Revocable Trust (195-7 & 195-8) (Eagle Shores Road) Boundary Line Adjustment

Dave Dolan of David M. Dolan Associates, PC, presented the application for the Boundary Line Adjustment. Mr. Dolan briefly described property and the project. Mr. Dolan noted lots were located on Eagle Shore Road and were created as part of a subdivision around 1982. Lot 8 (Power) is presently 9.78

acres in size, has about 250 feet of frontage on Lake Winnepesaukee, and about 1,100 feet of frontage on Eagle Shore Road. Lot 8 also has about 490 feet of frontage on "Over the Hill Road", which is an unimproved road with a fifty foot right-of-way created by the previously mentioned subdivision. The Power property has an existing dwelling unit and outbuildings, an onsite well, and septic system. The property is subject to an access and utility easement for the benefit of Lot 7.

Mr. Dolan stated that Lot 7 (Koons) is presently about 18.53 acres in size, has about 700 feet of frontage on Lake Winnepesaukee, and about 900 feet of frontage on "Over the Hill Road". There is a rough gravel drive that meanders thru the Over the Hill Road right-of-way, providing a means of access to the lot. The Koons property is benefited by the aforementioned access and utility easement over the Power property. There are several cabins, a garage, and outbuildings, and a well located on the property. The location and type of any existing sewage disposal system(s) is undetermined.

Mr. Dolan stated the proposed Boundary Line Adjustment involves the transfer of 5.98 acres from the Power property (Lot 8) to the Koons property (Lot 7). After the transfer, the area of the Power property will be approximately 3.80 acres; and the area of the Koons property will be approximately 24.51 acres. The transfer will provide the Koons property with over 500 feet of frontage; and leave the Power property with over 600 feet on Eagle Shore Road. Mr. Dolan stated the shoreline frontage of both properties will not change as a result of the Boundary Line Adjustment. Unit Density Calculations of 2.41 units were provided for the remaining land of Power. Mr. Dolan noted that they have received subdivision approval from NHDES. He then went on and addressed each of the items listed in the Town Planners memo of January 21, 2012. Mr. Dolan answered any questions from the board.

Mr. Woodruff referred to his staff recommendation memo dated January 31, 2012. Those recommendations being that the Board approve the Boundary Line Adjustment with the waivers for the requirement to depict the entire parcel, requirement to depict 2-ft. and 5-ft. contours, and requirement to depict off site geographic details located within 200 feet of the parcel, with the following conditions: 1. Revise the final plan to add intent of plan note, 2. Revise the final plan to reflect that the boundary pins have been set, 3. Revise the plan to correct the abbreviation for Carroll County Registry of Deeds (BCRD) to (CCRD) in notes 1 and 2, 4. Ensure that the Over the Hill right-of-way is depicted correctly at its intersection with the Town-maintained Eagle Shore Road, 5. The final plan be submitted to the Development Services Office in electronic format to include both a pdf and a cadd file format such as .dwg or .dxf, and 6. Submit executed deeds for recording with all recording costs at the time of recording the plan. He noted that he had spoken with Mr. Dolan regarding his recommended conditions and that he would revise the final Mylar for recording and was willing to comply with the last two.

Ms. Coppinger requested clarification of item #4 of the staff recommendations. Mr. Woodruff explained that the right-of-way for Over the Hill Road is a private right-of-way and should be shown as a solid line at the intersection of Over the Hill Road and Eagle Shore Road, so not to cause any confusion.

Mr. King asked if the wetland closest to Eagle Shore Road, crossed under the road, and enlarged the wetland. Mr. Dolan stated there was a culvert under the existing wooded road to the wetland shown on the plan. Mr. Jensen questioned if there was a culvert from that same wetland under Eagle Shore Road. Mr. Dolan noted there is an existing 15" culvert under Eagle Shore Road.

Mr. Jensen stated he was confused as to why the board was being asked to grant a waiver from the requirement to depict the entire parcel, when they were provided with an overview of the entire parcel with the application package. Mr. Dolan stated that it was the usual process to only record the portion of the lot(s) affected by the boundary line adjustment. Mr. Nelson stated that there were several ways in which the deeds could be written for the transfer of the 5.98 acres, but that the Koons already owned the Lot 7, and they would need to reconvey that area, and the 5.98 acres to themselves to be included in one deed. It was noted that it is not uncommon to have two or more deeds describing one parcel or two parcels described in one deed.

There were no additional questions from the Board at this time. Mrs. Coppinger asked for questions or comments from the public. It was noted there were none.

Motion: Mr. King moved to approve the requested waivers to not depict the entire Lot 7, to not depict the 2-ft. and 5-ft. contours, and to not depict off site geographic details located within 200 feet of the parcel on the Boundary Line Adjustment plat. It is understood that the “overview Plan” will not be recorded. And to approve the Boundary Line Adjustment for **Kevin & Elizabeth Koons and Malcolm G. Power, Jr. Revocable Trust, Tax Map 195, Lots 7 & 8** which adjust a common boundary between the two lots to add 5.98 acres to Lot 7, while transferring 5.98 acres from Lot 8 with the following conditions: 1. Revise the final plan to add intent of plan note, 2. Revise the final plan to reflect that the boundary pins have been set, 3. Revise the plan to correct the abbreviation for Carroll County Registry of Deeds (BCRD) to (CCRD) in notes 1 and 2, 4. Ensure that the Over the Hill right-of-way is depicted correctly at its intersection with the Town-maintained Eagle Shore Road, 5. The final plan be submitted to the Development Services Office in electronic format to include both a pdf and a cadd file format such as .dwg or .dxf, and 6. Submit executed deeds for recording with all recording costs at the time of recording the plan, seconded by Mr. Howard, carried unanimously.

VI. Informal Discussions

VII. Unfinished Business

VIII. Other Business/Correspondence

1. **Discussion of Possible Projects for 2012 Work Plan** – The Board began their discussion of the 2012 Work Plan, and reviewed a handout prepared by Mr. Woodruff. Mr. Woodruff briefly explained the Action Items on the proposal, the importance of each and noted the reasoning or status of each item. He asked that the Board review the list of Action Items and make any comments or suggestions they may have on each, and if they would like any other items to be included on the 2012 Work Plan. Mr. Woodruff recommended that the Work Plan should have about 10 items to complete for 2012. The proposal listed approximately 10 items, in a matrix, with a suggested time frame for the next 12 months.

Upon discussing the Work Plan, members asked how many of the proposed action items were from the Master Plan. Ms. Ryerson noted the revision of the Master Plan started with a survey in 2006 and was completed in 2008. She questioned if this was something that should be added to the Work Plan, and if an update is required. Statute recommends revisions to the plan every 5 to 10 years, and it is only a recommendation.

Ms. Coppinger noted the need to revise the soil types in the Zoning Ordinance and Subdivision Regulations. She stated that while her term as a member ends in March, she would be willing, if the board would authorize her too, to contact Nicol Roseberry, who is a Certified Soil Scientist and Certified Wetlands Scientist, and work on revising the soils types. Once this was completed the board could prepare an amendment for the ordinance and regulations. The members were in agreement to authorize Ms. Coppinger to contact Ms. Roseberry.

Mr. Woodruff noted the importance of forming a Context Sensitive Solution Process on future zoning districts. He stated that this was a very big deal. Board members discussed this, and the need for a form-based village or village nodes. It was suggested a Design Charette program be used for the village.

Cristina Ashjian noted that Plan NH has a Charette model. These may be done through grants. Mr. Woodruff will look into this.

Mr. Howard noted the importance of reviewing the table of uses and the need to update specific criteria for specific commercial uses in the residential/agricultural zone.

Mr. Woodruff stated that he had already prepared a draft for Parking Standards, and suggested language for Access Management. Members were in agreement to move those two items to February and March. Mr. Woodruff provided handouts for each (parking standards and access management) for members to read and prepare for discussion at the meeting on February 22nd.

Mr. Woodruff will revise the proposed work plan as discussed this evening and will email it to the members. They were asked to review the work plan and be prepared to prioritize the items included on the proposal.

At this time, it was the decision of the board to wrap up their discussion, noting again, that Board Members should review the material provided to them this evening in preparation for the next meeting on February 22nd.

2. Zoning Board of Adjustment Draft Minutes of February 1, 2012 were noted.

3. Selectmen's Draft Minutes of January 26 and February 2, 2012 were noted.

IX. Committee Reports

X. Adjournment: Mr. King made the motion to adjourn at 8:35 PM, seconded by Mr. Jensen, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant