

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

**Regular Meeting**

**September 12, 2012**

**Minutes**

Present: Members: Tom Howard, Chair; Peter Jensen, Judy Ryerson, Chris Maroun,  
Paul Punturieri, Josh Bartlett; Russ Wakefield (Selectmen's Representative)  
Alternate: Keith Nelson  
Excused: Alternate: Natt King  
Staff Present: Town Planner, Bruce W. Woodruff; Administrative Assistant, Bonnie Whitney

**I. Pledge of Allegiance**

Mr. Howard called the regular meeting to order at 7:00 P.M and noted if anyone in the audience was present for the hearing for Rock Pile Real Estate, that the application had been withdrawn.

**II. Approval of Minutes**

**Motion:** Mr. Punturieri moved to approve the Planning Board Minutes of August 22, 2012, as amended, seconded by Mr. Wakefield, carried unanimously with Mr. Maroun abstaining.

**Motion:** Mr. Jensen moved to approve the Planning Board Work Session Minutes of August 29, 2012, as written, seconded by Mr. Bartlett, carried unanimously.

**III. New Submissions**

1. Allan W. & Judith T. Fulkerson and Brown Point Property Trust (30-2 & 3)  
(29 & 30 Brown Point Road) Boundary Line Adjustment

This was a request for a proposed Boundary Line Adjustment conveying 2.16 acres from Lot 2 to Lot 3 resulting in lots of 5.85 acres and 2.07 acres. Mr. Howard questioned the Planner on the need for a waiver from the requirement to depict 5-ft. contours as recommended in his Staff Memo. Mr. Woodruff noted this application would require a waiver from section 4.3A. 10 of the Subdivision Regulations. Mr. Hambrook, agent for the applicants verbally requested a waiver of section 4.3A.10.

**Motion:** Mr. Jensen moved to accept the application of **Allan W. & Judith T. Fulkerson and Brown Point Property Trust (30-2 & 3)**, grant the waiver for the purposes of acceptance only and to schedule a hearing for this evening to be Public Hearing #1, seconded by Mr. Bartlett, carried unanimously.

Mr. Nelson stepped down from the Board for the new submission and hearing for Lloyd & Susan Berry (105-2).

2. Lloyd & Susan Berry (105-2)(200 Red Hill Road)  
Minor Two Lot Subdivision

This was a request for a proposed two lot residential subdivision.

**Motion:** Mr. Maroun moved to accept the application of **Lloyd & Susan Berry (105-2)** and to schedule a hearing for this evening to be Public Hearing #2, seconded by Mr. Punturieri, carried unanimously.

3. Bald Peak Land Co., Inc. (187-2)(180 Bald Peak Drive)  
Site Plan Amendment

This was a request for a site plan amendment. The applicant is proposing to tear down the existing Chef's Cottage and replace it with two cottages.

Mr. Howard noted the request for waivers dated August 22, 2012, from White Mountain Survey & Engineering, Inc.

**Motion:** Mr. Jensen moved to accept the application of **Bald Peak Land Co., Inc. (187- 2)**, grant the waivers for the purposes of acceptance only and to schedule a hearing for this evening to be Public Hearing #3, seconded by Ms. Ryerson, carried unanimously.

4. Rock Pile Real Estate, LLC (44-13)(84 Gov. Wentworth Highway)  
Site Plan Amendment

Mr. Howard stated the board was in receipt of an email received September 10, 2012 from Kim Prause withdrawing their application without prejudice.

**Motion:** Mr. Jensen moved to grant the request for withdrawal of the application submitted by **Rock Pile Real Estate, LLC (44-13)**, seconded by Mr. Punturieri, carried unanimously.

#### **IV. Boundary Line Adjustments**

1. Allan W. & Judith T. Fulkerson and Brown Point Property Trust (30-2 & 3)  
(29 & 30 Brown Point Road) Boundary Line Adjustment

Jim Hambrook, of Hambrook Land Surveying presented the application for the boundary line adjustment, briefly describing the location of the lots. The proposal is to convey 2.16 acres from Tax Map 30, Lot 2 to adjacent parcel Tax Map 30, Lot 3 resulting in Lot 3 area becoming 5.85 acres and Lot 2 area becoming 2.07 acres. Mr. Hambrook noted that topography and soils were completed for Lot 2, and not on Lot 3 as the adjusted Lot 3 is becoming larger. The allowable units for Lot 2 were noted at 2.17 units. Mr. Hambrook answered any questions from the board.

Mr. Jensen questioned why the sanitary well protection radius was not depicted on the plan. Mr. Hambrook stated he did not include it as the site is already developed, but could add it to the plan.

Mr. Woodruff requested that the plan reflect the tax map number along with the lot number for each of the parcels.

Mr. Howard asked for questions or comments from the public. It was noted there were none.

**Motion:** Mr. Jensen moved to approve the waiver from the requirement to depict 5-ft. contours; and further approve the Boundary Line Adjustment plat for **Allan W. & Judith T. Fulkerson and Brown Point Property Trust (30-2 & 3)** which conveys an area of 2.16 acres from Tax Map 30, Lot 2 to adjacent parcel Tax Map 30, Lot 3 resulting in Lot 3 area becoming 5.85 acres and Lot 2 area

becoming 2.07 acres, with the following conditions: 1) Revise the plat to add the setback lines for Lot 3 prior to the Chair signing the plat. 2) Revise the plat to add the correct Map/numbers prior to the Chair signing the plat. 3) The final plat be submitted to the Development Services Office in appropriate format. 4) Submit executed deeds for recording with all recording costs at the time of recording the plan. 5) add the sanitary protection radius around the well location prior to the Chair signing the plat, seconded by Mr. Maroun, carried unanimously.

## V. Hearings

Mr. Nelson stepped down from the board for this hearing.

1. Lloyd & Susan Berry (105-2)(200 Red Hill Road)  
Minor Two Lot Subdivision

Ryan Martin, agent for the Berry's presented the application for a two lot minor subdivision of an existing 6.293 acre parcel of land into two lots. One lot containing 3.898 acres and one lot with 2.395 acres located entirely in the Residential/Agricultural zone. Mr. Martin briefly described the lot, noting that this was a simple, straight forward subdivision. Mr. Martin answered any questions from the board.

Mr. Woodruff reviewed his staff memo, noting the need for two changes to the memo. First the applicant has now received NH DES subdivision approval, but they must provide the Office of Development Services with an approved driveway permit prior to the Chair signing the plan. It was noted that the 75' radius for the proposed well for Lot 2.1 extends into the road and that the proposed well should be relocated in order for the protective radius to be contained entirely on the lot.

Ms. Ryerson commented that the application was submitted as a minor subdivision, noting that existing Lot 2 can support 2.0 units, and if this were approved as a minor subdivision the applicants would be restricting Lot 2 from further subdivision. Ms. Ryerson wanted to make certain the applicants were aware of this. Mr. Berry noted they understood this and were okay with it as presented.

Mr. Howard asked for questions or comments from the public. It was noted there were none.

**Motion:** Mr. Bartlett moved to approve the **Lloyd & Susan Berry (105-2)** two (2) Lot Minor Subdivision of an existing 6.293 acre parcel of land into two lots; One lot containing 3.898 acres and one lot with 2.395 acres located entirely in the Residential/Agricultural zone with the following conditions: 1) That an approved driveway permit be submitted to the Development Services Office prior to the Chair signing the plat. 2) Add a recording plan number to reference number 1 on the exhibit plan. 3) The final plat be submitted to the Development Services Office in electronic format to include both a pdf and an approved cadd file format. 4) Relocate the proposed well head so that the 75' radius be located entirely on proposed Lot 2.1. Seconded by Mr. Maroun, carried unanimously.

Mr. Nelson returned to the board at this time.

2. Bald Peak Land Co., Inc. (187-2)(180 Bald Peak Drive)  
Site Plan Amendment

Jim Rines, of White Mountain Surveying & Engineering, presented the application for site plan amendment. Mr. Rines stated that Bald Peak was requesting an amendment of site plan approved in 2003. At that time the approval included three projects, the addition to the Racquet Club and the Golf Cart

Garage and expansion of the Chef's Cottage with a new septic to be installed. The two additions and installation of the new septic were completed, but no changes have been made to the Chef's Cottage. The request is to amend the site plan approval. The applicant is proposing to tear down the existing Chef's Cottage and replace it with two cottages. Mr. Rines stated the existing Chef's Cottage is approximately 1,328 SF and the two cottages are each approximately 895 SF. The total proposed expansion in 2003 was 8,447 SF and as requested would now be at total of 8,648 SF, an insignificant change. Mr. Rines questioned if the board were to approve the amendment could the applicants then rotate the cottages, if necessary, to accommodate field conditions. Mr. Rines answered any questions from the board.

Mr. Woodruff reviewed his staff memo for the proposed site plan amendment. The board discussed the placement of the cottages, noting they could be rotated, but must still meet the required setbacks and to provide the board with an as-built plan when completed.

Mr. Howard asked for questions or comments from the public. It was noted there were none.

**Motion:** Mr. Punturieri moved to approve the waiver from the requirement to depict the entire parcel (bearings and lengths of the boundaries of the parcel) and the requirement to depict or adhere to the General Requirements of the off street parking and loading; and further approve the site plan amendment for **Bald Peak Land Co., Inc. (187- 2)** with the condition the applicant provide an as-built site plan of the completed Chef's Cottages, (building pads) not to exceed a total expansion of 8,648 SF as discussed and reserve the right to amend, seconded by Mr. Jensen, carried unanimously.

## **VI. Informal Discussions**

## **VII. Unfinished Business**

## **VII. Other Business/Correspondence**

Mr. Howard noted the next item on the agenda was to continue working on the changes to the Zoning Ordinance and asked members what time they would like to adjourn this evening.

**Motion:** Mr. Bartlett made a motion to set an adjournment time of 8:30 PM this evening, seconded by Mr. Wakefield, carried unanimously.

### **1. Housekeeping of Zoning Ordinance - Draft Customary Home Occupation Language**

Board members were provided with a final draft of the Customary Home Occupation Language in which the Planner had made the changes as discussed and approved at the last meeting. Members reviewed the final draft making one additional change to item #9, adding and/or in place of the & for "on-site Lawnmower/Tractor Sales & Service".

Board members questioned if the proposed language for home occupations would be a separate warrant article or be included with all of the other proposed changes, as this could be controversial and not pass. There has been a lot of work on other proposed changes to the ordinance and they would not want them to fail if this were to fail. They requested this to be a separate article.

**Motion:** Mr. Wakefield moved that the Board approve the final draft of the Customary Home Occupation Language and move it forward to Public Hearing, seconded by Mr. Maroun, carried unanimously.

The board next began to discuss the Table of Permitted Uses in the Zoning Ordinance. Mr. Woodruff commented that the changes shown in red were only his recommendations and that the board should discuss each of the uses and make their own determination as to changing them or keeping them as they currently are. The three options are Permitted, Not Permitted or Special Exception Required.

The following uses were discussed and the decision on each listed:

Use	Commercial A	Commercial B	Commercial C	Residential Agricultural	Groundwater Protection Overlay District
Single-Family Residential	P	P	P	P	*
Two-Family Residential	P	P	P	P	*
Multi-Family Residential	P	P	P	SE	*
Agricultural	P	P	P	P	*
Accessory Uses	P	P	P	P	*
Farm Stands	P	P	P	P	*
Retail Establishments	P	P	P	NP	*
Offices	P	P	P	NP	*
Banks	P	P	P	NP	*

The board will continue with the list of uses at their next meeting.

2. Mr. Howard noted that NH DOT will be conducting a Combined Public Officials/Public Informational Meeting on Tuesday, September 25, 2012 at the Moultonborough Town Hall. The intent of the meeting is to gather public input concerning possible improvements to the NH Route 25/Fox Hollow Road intersection. Concept plans may be viewed at 6:30 PM with a formal presentation at 7:00 PM. The public is invited and encouraged to attend.

3. Copy CGR July to August 2012 Daily Load Report was noted. Mr. Woodruff commented that he had met with the Police Chief and the Plant Manager of CGR. They have been working together on a notification for independent truckers and discussing additional signage. For additional signage there will need to be a road safety audit conducted. Mr. Wakefield questioned if there had been any discussion regarding a run-away truck ramp. Mr. Woodruff stated yes, but that would need an engineering assessment first.

4. Letter Dated September 10, 2012 to Police Chief from Cristina Ashjian provided to Chairman (PB cc'd).

5. Board of Selectmen's Draft Minutes August 23<sup>rd</sup>, August 30<sup>th</sup> and September 6<sup>th</sup> were provided to board members.

**IX. Committee Reports**

**X. Adjournment:** Mr. Punturieri made the motion to adjourn at 8:38 PM, seconded by Mr. Maroun, carried unanimously.

Respectfully Submitted,  
Bonnie L. Whitney  
Administrative Assistant