

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

**Regular Meeting**

**December 12, 2012**

**Minutes**

Present: Members: Tom Howard, Chair; Peter Jensen, Chris Maroun, Paul Punturieri, Josh Bartlett; Russ Wakefield (Selectmen's Representative)  
Alternate: Bob Goffredo  
Excused: Member: Judy Ryerson; Alternates: Keith Nelson, 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 welcomed Bob Goffredo to the Board as an Alternate Member. Mr. Howard then appointed Mr. Goffredo to sit on the board with full voting privileges in place of Judy Ryerson.

**II. Approval of Minutes**

Mr. Howard asked that the Board table the discussion on the approval of the minutes to unfinished business to allow time for discussion.

**Motion:** Mr. Punturieri moved to table the approval of the November 28<sup>th</sup> Planning Board Minutes to Unfinished Business, seconded by Mr. Jensen, carried unanimously.

**III. New Submissions**

1. Camp Tecumseh and Dennis S. & Paula T. Krauss (188-38 & 188-37)(Edgewater Drive & 53 Edgewater Drive) Boundary Line Adjustment

Mr. Wakefield stepped down from the Board at this time.

This was a request for a proposed Boundary Line Adjustment for the transfer of equal areas of land (595 Square Feet) between abutting property owners. Mr. Howard noted the Requests for Waiver dated November 20, 2012 from David M. Dolan Associates, PC, from Sections 4.3 (A) (3), (5), (10), and (12), relating to wetlands, topography, soils and soils information, and off site geographic facts within 200 feet of the property.

**Motion:** Mr. Bartlett moved to accept the application of **Camp Tecumseh and Dennis S. & Paula T. Krauss (188- 38 & 37)**, 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. Maroun, carried unanimously.

Mr. Wakefield returned to the board at this time with full voting privileges.

2. Christopher & Christina Savage (44-32)(1088 Whittier Highway)  
Site Plan Review

Mr. Maroun stepped down from the Board at this time.

This was a request for a Site Plan Review for a proposed Micro distillery, with office space and an area for a Retail Showroom. Mr. Howard noted the Requests for Waiver dated November 20, 2012 from Gerard Land Surveying Co., from Section 10 (A)(3) Ref. to establish USGS bench mark, Town approved datum.

Mr. Howard referred to the Planners Staff Recommendation that the Board accept the Site Plan application as substantially complete, noting the issues contained in the memo. It was noted that the Board was in receipt of Traffic Impact Memo Report.

Mr. Woodruff stated that the Special Exception granted by the Zoning Board of Adjustment had a condition placed on it that the Planning Board follows through with the Fire Chief on any necessary fire suppression system. The Planner noted that he had received an email from the Fire Chief earlier today indicating that there may be a need for fire suppression, therefore this was an open question at this time.

The Board discussed accepting the application as substantially complete, therefore starting the 65 day clock, or accepting the application and tabling to a date certain. The applicants wished to proceed with the application this evening.

**Motion:** Mr. Punturieri moved to accept the application of **Christopher & Christina Savage (44-32)** as substantially complete, grant the waiver for purposes of acceptance only and to schedule a hearing for this evening to be Public Hearing #2, seconded by Mr. Wakefield, carried unanimously.

Mr. Maroun returned to the board at this time with full voting privileges.

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

Mr. Wakefield stepped down from the Board at this time.

1. Camp Tecumseh and Dennis S. & Paula T. Krauss (188-38 & 188-37)(Edgewater Drive & 53 Edgewater Drive) Boundary Line Adjustment

Dave Dolan, of David M. Dolan Associates, PC presented the application for the Boundary Line Adjustment (BLA), briefly describing the location of the lots and the development of the Krauss property. Mr. Dolan noted that there were a few improvements on the Krauss property which encroach on the Camp Tecumseh lot. The existing garage is 7.3' from the property line and there is a boat launch area/yard/beach that are partially over the property line. The proposal is to transfer equal areas of land (595 SF ±) between Lot 37 (Krauss) and Lot 38 (Camp Tecumseh); resulting in no change in total area of either property. The BLA will eliminate the encroachment by Lot 37 onto Lot 38. Mr. Dolan stated that the BLA will not eliminate the non-conformity of the existing garage, but noted that it will not increase the non-conformity. Mr. Dolan stated that the areas being exchanged are of equal upland soils, and noted the request for waivers relating to wetlands, topography, soils and soils information, and off site geographic facts within 200 feet of the property. Mr. Dolan answered any questions from the board.

There were no questions or comments from the Board of the public.

**Motion:** Mr. Maroun moved to approve the waivers from the subdivision regulations Sections 4.3A, 3, 5, 10 and 12 relating to depicting wetlands, topography, soils &

slopes information and calculations and off-site geographic facts within 200 ft. of property boundaries; and further move to approve the Boundary Line Adjustment Plat for Map 188, Lots 37 & 38 which transfers equal areas of 595 sq. ft. between the parcels, with the following conditions: 1. The final plat be submitted to the Development Services Office in appropriate electronic format. 2. Submit executed deeds for recording with all recording costs at the time of recording the plat, seconded by Mr. Punturieri, carried unanimously.

Mr. Wakefield returned to the board at this time with full voting privileges.

## **V. Hearings**

1. Christopher & Christina Savage (44-32)(1088 Whittier Highway)  
Site Plan Review

Mr. Maroun stepped down from the Board at this time.

Loralie Gerard of Gerard Land Surveying Co. presented the application for site plan for a proposed Micro distillery, with office space and an area for a Retail Showroom, for the applicants, Christopher & Christina Savage. Ms. Gerard briefly described the location and current development of the site. She stated they had received a Special Exception from the Zoning Board of Adjustment to amend the approved use from a contractor's office, maintenance and detailing shop to a Micro Distillery. There are no proposed changes to the structures on the site, only the use within the two structures. The existing garage will be used for the distillery, an office and retail showroom. The existing log cabin home will be used as either a one (1) unit 2-bedroom apartment or two (2) office rental units.

Ms. Gerard noted the issues contained in the Town Planner's staff memo. She stated that they had submitted a Standard Traffic Impact Assessment to the Planner. They have applied to the NH DOT for an amended driveway permit, which included a sketch of their proposed driveway expansion. Ms. Gerard stated that she has made several attempts to contact NH DES regarding the septic. She has spoken with two different people and has received two different answers. The issue regarding fire suppression was just brought to their attention today, so they have not had the opportunity to speak with the Fire Chief. Ms. Gerard answered any questions from the board.

Questions from the Board were regarding the traffic impact report, hours of operation, consumption of alcohol on premise and what was the smallest quantity of alcohol that could be purchased. It was noted the showroom hours will be from 11 AM – 9 PM, seven days a week. The only consumption of alcohol on premise would be allowed during tastings, and is controlled by the TTB. The smallest amount that can be purchased is a fifth of alcohol. Mr. Howard asked the Planner if the Traffic Impact Assessment submitted by the engineer addressed the concerns of the Technical Review Committee (TRC). Mr. Woodruff felt that the report did address the concerns of the TRC and noted he had forwarded the report on to NH DOT. Susan Soucie, Assistant District Engineer, wanted the report to corroborate that her initial assessment regarding the lack of intensity of trip generations on the site was accurate. The second part of the concern of the TRC was the channelizing of traffic. This should be answered by NH DOT, and then add the channelization striping to the site plan.

There were still questions regarding the septic loading. Ms. Gerard indicated that she has been in contact with NH DES regarding this issue. It was stated that this was not in control of the Planning Board, but should be made as a condition of approval.

Mr. Punturieri questioned if the still was going to generate any odors outside. Mr. Savage stated no, that the still was a closed system.

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

Mr. Howard asked for input from the board regarding moving forward with a conditional approval this evening or continuing the public hearing to allow time for answers to issues discussed. Mr. Wakefield commented that the three outstanding issues relating to the driveway, fire suppression and septic are all either a yes or no answer from NHDOT, the Fire Chief and NH DES. The board could grant a conditional approval subject to the receipt of all necessary information or approvals from each. Mr. Punturieri, Mr. Jensen and Mr. Bartlett were in agreement with Mr. Wakefield's comment.

Mr. Woodruff stated if the board was entertaining an idea of a conditional approval then he would like to suggest that they have a deadline time for the information to be submitted to the Office of Development Services. After discussing this suggestion amongst the board and with the applicant, it was agreed to require the conditions be satisfactorily completed and submitted to the Development Services Office within six (6) months in order to have the Planning Board Chair sign the Site Plan.

**Motion:** Mr. Bartlett moved to approve the waiver from Section 10 (A)(3) of the Site Plan Regulations in reference to establishing USGS bench mark, Town approved datum, submission of sign design to the Planning Board and to further approve the site plan for **Christopher & Christina Savage (44-32)** subject to the following conditions: 1. Adequate fire suppression (if required by Fire Chief) or documentation from Fire Chief if not necessary. 2. Receipt of NH DES approvals for amended septic. 3. Receipt of approved NH DOT amended driveway permit, 4. The final plan be submitted to the ODS in electronic format to include both a pdf and an approved cadd file format, and reserve the right to amend. Seconded by Mr. Wakefield.

Discussion on motion: Mr. Jensen asked if the board wanted to include a condition requiring the applicant to stripe the entrance and exit to the lot as shown in the diagram presented to NH DOT and that it be depicted on the plan as well. Members were in agreement with Mr. Jensen's suggestion.

Mr. Bartlett amended his motion to include the condition requiring the striping of the driveway. Seconded by Mr. Wakefield, motion carried unanimously.

Mr. Maroun returned to the board at this time with full voting privileges.

## **VI. Informal Discussions**

## **VII. Unfinished Business**

Mr. Howard next took up the Approval of Minutes and asked for any comments or corrections. Mr. Punturieri noted that on page 2 there is some confusion as to the motions and votes regarding the annual contract with LRPC. There was no vote reflected for the amendment, and a reference made by Mr. Howard accepting the original motion was duplicated. That will be corrected to reflect the vote and strike the duplicate statement by Mr. Howard. Second was the rewording of the last sentence in Item 2.

**Motion:** Mr. Punturieri moved to approve the Planning Board Minutes of November 28, 2012, as amended, seconded by Mr. Jensen, carried unanimously with Mr. Maroun abstaining.

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

1. Mr. Woodruff noted the Code Enforcement Officer had a few questions and comments regarding the proposed Zoning Ordinance Amendments. One was regarding abandonment, noting one proposal is to

amend that to two years, but that there is another reference in the ordinance in the definition section that still says one year. For consistency the two references should be the same. The Board felt this can be changed because the description was still met, and will be addressed at the public hearing.

## **IX. Committee Reports**

1. Mr. Woodruff noted that there will be an Informational Meeting hosted by the Planning Board & Heritage Commission at 6 PM on Monday, December 17<sup>th</sup> in the Event Room at the Moultonborough Library. This will be a presentation of the Final Report Moultonborough Village Charrette: Yesterday, Today & Tomorrow by the Plan NH Charrette Team to the combined Boards and Town Citizens. Board members will receive the link to the report by the Close of Business on Thursday.

**X. Adjournment:** Mr. Punturieri made the motion to adjourn at 8:29 PM, seconded by Mr. Maroun, carried unanimously.

Respectfully Submitted,  
Bonnie L. Whitney  
Administrative Assistant