

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

Regular Meeting

November 13, 2013

Minutes

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

I. Pledge of Allegiance

Mr. Howard opened the regular meeting to at 7:00 PM and led the Pledge of Allegiance. He then appointed Natt King to sit on the board with full voting privileges in place of Judy Ryerson.

II. Approval of Minutes

Motion: Mr. Punturieri moved to approve the Planning Board Minutes of October 23, 2013, as amended, seconded by Mr. Jensen, carried unanimously with Mr. King abstaining.

III. New Submissions

IV. Boundary Line Adjustments

V. Hearings

VI. Informal Discussions

VII. Unfinished Business

1. Discussion on Draft Conditional Use Permit Process/Procedure – Mr. Woodruff provided members with a handout that he had prepared after completing hours and hours of research. He referred to the draft noting that there was no case law to guide the board, nor could he find any other community that has a written process for applying conditional use permits (CUP). He noted that there are five types of CUP's that are in the zoning ordinance and that all five have either criteria or standards that are required. Mr. Woodruff had provided members with a criteria worksheet for the article relating to steep slopes. He noted that the documents he prepared were a draft process and were intended to be used as a tool by the board while in their decision making process when reviewing a request for a CUP. Members discussed the material a length, with the majority of the discussion regarding a paragraph referencing the review of after-the-fact applications on a de novo basis. This paragraph will be removed from the draft process and a few other minor changes will be made to the document for review at the next meeting. Members requested that Mr. Woodruff prepare a criteria worksheet as needed for the remaining four types of CUP's that are in the zoning ordinance.
2. Discussion on Draft Strategy regarding C.O. process for changes of use (new tenants or new business) in Multi-Use Buildings – Mr. Woodruff provided the members with a handout regarding strategy for ensuring Changes of Use in Multi-Tenant Buildings Continue to meet site plan approval and zoning requirements without returning to the Planning Board. He briefly reviewed the outline with the board. After review and discussion members were in agreement with the proposal and thought that it looked good.

3. Review and Approval of Planning Board 2014 meeting dates - The Board was provided with a draft of the 2014 meeting dates. Mr. Woodruff questioned if there were any changes the board would like to make at this time. It was noted the second meeting in November was Thanksgiving Eve, and the second meeting in December fell on Christmas Eve. The Board agreed to cancel both meetings, November 26th and December 24th, 2013.

Motion: Mr. Bartlett moved to approved the Planning Board 2014 meeting dates as presented, cancelling the November 26 and December 24, 2014 meetings, seconded by Mr. Punturieri, carried unanimously.

4. Master Plan Next Steps Discussion Update – Mr. Woodruff noted that he met with Mr. Jensen and Mr. Punturieri earlier this evening, briefly discussing the next steps of the Master Plan Update. They agreed on the need to revise the vision statement. They also noted the need for an independent third party to listen to what the needs and direction both the board and town are and where they would like to be in the future. Mr. Punturieri had been provided with the name of an individual who would be non-biased and he will contact them. A Saturday in January will be set aside for a Planning Board visioning session.

VIII. Other Business/Correspondence

1. Mr. Howard noted that the Board was in receipt of a letter from Joanne Farnham expressing her interest to serve as an Alternate Member of the Planning Board. Mrs. Farnham was present this evening.

Motion: Mr. Punturieri moved to appoint Joanne Farnham as an Alternate Member of the Planning Board for a three-year term ending in March 2016, seconded by Mr. Bartlett, carried unanimously.

Mr. Nelson and Mr. King, both former members, and now Alternates on the board, announced that they would be stepping down as alternates in March. It was noted the need for more volunteers and if anyone was interested to send a letter of interest to the Board. There were two gentlemen in the attendance this evening observing the proceedings, with an interest in serving as alternates.

2. William Page, 528 Whittier Highway, requested to speak to the Board stating he had an issue with the Town Planner's approval to allow entertainment at the Bob House and Reel N' Tavern (520 Whittier Highway). Mr. Page questioned why the request wasn't reviewed by the Board and why he wasn't notified as an abutter. It was noted that this was an Administrative Decision made by the Planner. Mr. Page stated that he had mailed a letter to the Chairman of the Planning Board and the Board of Selectmen. Neither was received at the Town, as it appears they were not delivered as they were mailed to the physical location, not the PO Box. Mr. Page provided the Planner with a copy of his letter of October 30th and the Planners letter of September 27th that was sent to Lt. Valerie Smith at the NH Liquor Commission. Mr. Woodruff read each of the letters into the record. Board members questioned if entertainment was a change of use or a customary and incidental use of a restaurant. Mr. Woodruff stated that it was customary and incidental and that there is case law supporting his opinion. Mr. Page stated his concerns with the additional parking creating a nuisance on his abutting property and noted his concerns with safety and the ability for a fire truck to get through the parking lot. Mr. Woodruff stated he would make certain the Code Enforcement Officer receives a copy of his letter of complaint.

IX. Committee Reports

X. Adjournment: Mr. Punturieri made the motion to adjourn at 8:56 PM, seconded by Mr. King, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant