

Moultonborough Zoning Board of Adjustment
P.O. Box 139
Moultonborough, NH 03254

Regular Meeting

November 4, 2009

Minutes

Present: Members: Bob Stephens, Russell Nolin, Ray Heal, Bob Bernstein (arrived at 7:50 PM);
Town Planner, Dan Merhalski

Excused: Members: Jerry Hopkins
Alternate: Nicol Roseberry

I. Call to Order

Mr. Stephens noted that Mrs. Roseberry and Mr. Hopkins were unable to attend this evening, and that Mr. Bernstein was in route to the meeting and due to traffic, would be late. Mr. Bernstein arrived at 7:50 PM. Mr. Stephens called the meeting to order at 7:50 PM, and introduced the members of the board to the public.

II. Pledge of Allegiance

III. Approval of Minutes

Motion: Mr. Nolin moved to approve the Zoning Board of Adjustment Minutes of October 21, 2009, seconded by Mr. Heal, carried unanimously.

IV. New Applications

V. Hearings

**1. David A. Muskopf and Mary E. Allain (200-38)(119 Swallow Point Road)
Continued Rehearing for Area Variance from Article III Paragraph B (3)**

Mr. Stephens stated this was a continued hearing for David Muskopf and Mary Allain. The board reviewed the Draft Notice of Decision prepared by the Planner, as directed by the board at the hearing on October 21st. Based on the Findings of Fact, Mr. Stephens called for a motion to grant the variance.

Mr. Nolin made a statement for the record indicating why he was not in favor of the granting of the area variance and urged board members to rethink this request and deny the area variance.

There was no further discussion from the board.

Motion: Mr. Heal moved to grant the Area Variance for **David A. Muskopf and Mary E. Allain (200-38)** as stated in the Draft Notice of Decision, and authorize the Chairman to sign the Notice of Decision as amended. Seconded by Mr. Bernstein, carried in favor 3 to 1 with Mr. Nolin opposing.

Mr. Stephens stated that he should have noted at the start of the meeting that there was only a board of four this evening and that the applicants are entitled to a full board of five members. Mr. Stephens

asked Attorney Doug Hill, representative for the Muskopf's, if he approved of proceeding with a board of four. Mr. Hill stated in light of the motion made, he had no objections to a board of four.

VI. Correspondence

- 1) Planning Board Draft Minutes of October 28, 2009 were noted.
- 2) It was noted that there were not any new submissions submitted this evening and the board had not continued any hearings to November 18th. It was the decision of the board to cancel the meeting.

Motion: Mr. Heal moved to cancel the November 18, 2009 meeting of the ZBA, and to authorize the Chairman to accept any new applications as a committee of one for the scheduling of hearings for December 2, 2009. Seconded by Mr. Nolin, carried unanimously.

VII. Unfinished Business

VIII. Adjournment

Motion: Mr. Stephens made the motion to adjourn at 8:03 PM, seconded by Mr. Nolin, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant