

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

Regular Meeting

September 1, 2010

Minutes

Present: Members: Bob Stephens, Jerry Hopkins, Russell Nolin, Ray Heal;
Alternate: Nicol Roseberry; Town Planner, Dan Merhalski
Excused: Members: Kevin M^cCarthy

I. Call to Order

Mr. Stephens called the meeting to order at 7:30 PM and introduced the members of the board to the public. Mr. Stephens appointed Nicol Roseberry to sit on the board with full voting privileges in place of Kevin M^cCarthy.

II. Pledge of Allegiance

III. Approval of Minutes

Motion: Mr. Hopkins moved to approve the Zoning Board of Adjustment Minutes of August 4, 2010, seconded by Mr. Nolin, carried unanimously.

IV. Hearings

1. Continuation of Public Hearing – Mark & Sarah Cotrupi (54-1)(101 Sheridan Road) Variance from Article III, Paragraph I

Mr. Stephens noted this was a continued hearing for a variance for Mark & Sarah Cotrupi. The hearing had been continued a few times in order to allow for a full board of five. The board reviewed the Draft Notice of Decision prepared by the Town Planner, as directed by the board at the hearing on July 7th. There were no changes made to the draft decision as written.

Motion: Mr. Hopkins moved to approve the application of **Mark & Sarah Cotrupi (54-1)** for a variance, as detailed in The Draft Notice of Decision, and authorize the Chairman to sign the Notice of Decision, seconded by Mr. Heal.

Mr. Nolin commented given all of the information provided to the Board for the request for variance submitted by Greg Michael (which was withdrawn by the applicant) he does not understand how the Board could approve this request. Mr. Nolin requested the Board reconsider their original vote and take into consideration the information provided and deny this request. The Board discussed this, reviewed the application and drawings, noting the decision made by the board was based on a different situation and property.

Vote: passed by a vote of four (4) in favor (Stephens, Hopkins, Heal, Roseberry), 1 opposed (Nolin), and 0 abstentions.

**2. The Daniel W. Watson Trust, Daniel W. Watson Trustee & The Eda Ann Watson Trust, Eda Ann Trustee (254-24)(23 Davis Lane)
Variance from Article III, Table I**

Mr. Stephens stated this was an application for a variance from Article III, Table I. Dave Dolan, agent for the Watsons, who were present in the audience, presented the application for a variance. The reason for the request is to allow an increase in density on Tax Map 254 Lot 24 (also known as the Long Island Campground) by transferring some campground units that are currently encroaching on their abutting property. Mr. Dolan gave a brief history of the property, stating the Campground has been in operation for about forty-two years. The campground occupies three pieces of property, Tax Map 55 Lot 8, the beach area, Tax Map 254 Lot 24, and a portion on Tax Map 247 Lot 22. Mr. Dolan provided the Board with an aerial photograph which shows the majority of the campground development is on the western half of Tax Map 254 Lot 24. There are eight (8) units that are entirely on Lot 22 and four (4) more that are partially on Lot 22. Mr. Dolan stated they were not aware of the encroachment of the twelve (12) units until they started surveying for a subdivision.

They have submitted an application to the Planning Board for a Boundary Line Adjustment (BLA), which needs a variance from the ZBA to increase the density on Tax Map 254 Lot 24. There are one hundred two (102) units associated with the campground. They are proposing a BLA which will get the gravel storage area and twelve (12) units transferred to Tax Map 254 Lot 24. There are not any new buildings proposed or buildings being moved and no campsites being added. In the mid 90's there was a septic system approved for the campground, based on metering for the existing usage of the campground that currently serves the entire campground. There is a dwelling unit and mobile home on Lot 22 which have separate septic.

The proposed boundary line configuration was determined by the existing location of the campsites and includes a setback of twenty-five (25) feet to comply with the required setback.

Mr. Dolan gave details regarding the septic system loading noting that it is far in excess of what is needed.

Mr. Hopkins commented that TM 247-22 was currently a non-conforming lot based on unit density and questioned if with the proposed BLA would it become a conforming lot. Mr. Dolan stated the remaining portion of the lot will be conforming to the density of 2.0 and TM 254-24 will be more non-conforming, this is the purpose of the request for the variance. There currently are ninety (90) units on forty acres and the proposal is one hundred two (102) units on forty-three acres.

Mr. Stephens questioned the percentage difference of the non-conformity. It was noted the density was increasing on the lot from approximately 2.50 dwelling units per acre for the existing non-conforming parcel to approximately 2.56 dwelling units per acre for the combined parcel.

Mr. Dolan addressed each of the criteria for the granting of a variance. He stated they were not changing anything physically. They currently have two lots that are non-conforming in density, and will have one that will be slightly increased in non-conformity as to density and the other will become compliant regarding density. The use of the property is grandfathered, and they have all necessary state approvals.

Mr. Stephens asked if there were any questions from the public, it was noted there were none.

The board went into deliberative session to discuss each of the criteria for the granting of the variance. The Board returned to public session noting there was no further input from the board or audience.

Motion: Mr. Hopkins moved to continue the Public Hearing for **The Daniel W. Watson Trust, Daniel W. Watson Trustee & The Eda Ann Watson Trust, Eda Ann Trustee (254-24)** to September 15, 2010, and to direct staff to draft a Notice of Decision approving the request for a variance as requested, seconded by Mr. Stephens, carried unanimously.

V. Correspondence

- 1) Planning Board Draft Minutes of August 11 & 25, 2010 were noted.
- 2) Board of Selectmen Draft Minutes of August 5 & 19, 2010 were noted.
- 3) Mr. Stephens noted a letter of interest for the Appointment as an Alternate to the Zoning Board of Adjustment dated August 26, 2010 submitted by Robert Zewski. This will be noticed on the October 6th agenda for discussion under correspondence.

VI. Unfinished Business

VII. Adjournment

Motion: Mr. Hopkins made the motion to adjourn at 8:14 PM, seconded by Mr. Stephens, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant