



Town of Moultonborough Planning Board

Notice of Decision

Site Plan Review Permit

Harilla Landing Yacht Club/Tax Map 288, Lot #8

October 28, 2009

Applicant: Harilla Landing Yacht Club
C/O Jeffrey Foote
74 Basin Street
Concord, NH 03301

Location: 484 Long Island Road (Tax Map 288 Lot 8)

On October 14, 2009 the Planning Board of the Town of Moultonborough opened a public hearing on the application of Harilla Landing Yacht Club, 74 Basin Street, Concord, NH 03301 (hereinafter referred to as the "Applicant" and/or "Owner") to allow for an amendment of a previously approved Site Plan Permit for the site in the Agricultural Residential Zoning District.

The public hearing was continued to October 28, 2009. The public hearing was closed on October 28, 2009. At the regularly scheduled Planning Board meeting on October 28, 2009 the Board voted by a vote of six (6) in favor (Ryerson, Coppinger, Jensen, Nelson, Charest, Fairchild), none (0) opposed, and one (1) abstention (Taussig), to **GRANT** their request for an amendment to a previously approved Site Plan Review Permit subject to the following conditions:

1. Conformance with Plan

Work shall conform with the plans entitled, "Proposed Site Plan of Land of Harilla Landing yacht Club, A Condominium Long Island road, Moultonborough, NH", prepared by Yerkes Surveying Consultants, P.O. Box 38, Laconia, NH, and dated October 16, 2009.

2. Amendments

Any modification to this approved amended plan and dated October 16, 2009, and any modification of any condition of this approval, together with previous approvals unless otherwise specified in this decision, must receive the prior approval of the Planning Board, unless deemed insignificant by the Town Planner. In such case the applicant shall submit to the Planner the requested changes who shall seek Board approval of the changes. The applicant will not proceed unless the Planner first provides written approval of the requested insignificant changes.

3. Endorsement of Plan

Following the vote of approval by the Planning Board, and the statutory thirty (30) day appeal period in accordance with RSA 677:15, the Planning Board Chairman shall sign the approved site plan, subject to conditions of this approval, which shall be recorded at the Carroll County Registry of Deeds. The

conditions of approval of this site plan review shall be placed on the final plans, or this decision shall be referenced on the plans, and said plans shall be recorded at Carroll County Registry of Deeds within ninety (90) days of signing of the plans by the Planning Board Chair and prior to any construction commencing.

4. Site Plan Regulations

The Site shall be constructed in accordance with the requirements of the Site Plan Regulations and any other applicable rules and regulations as affected by this decision.

5. Transfer of Ownership

Within five (5) days of transfer of ownership of the site, the Applicant, their successors or assigns, shall notify the Board in writing of the new owner's name and address. The terms, conditions, restrictions and/or requirements of this decision shall be binding on the new owner and its successors and/or assigns.

6. Progress Reports

Upon the request of the Planning Board, the owner shall submit reports of the progress of the site's completion within five (5) business days.

7. Construction Practices

All construction shall be carried out in accordance with Town of Moultonborough ordinances and the Site Plan Regulations, as well as all other pertinent rules and regulations. Additionally, all staging of materials and equipment shall be on-site, and no equipment or materials not directly used in the construction of the site shall be located on site.

8. Construction Requirements

- a. All construction will occur on site; no construction will occur or be staged within Town rights of way.
- b. Any roadways, driveways, or sidewalks damaged during construction shall be restored to their original condition by the Owner prior to the issuance of a Certificate of Occupancy for the site.
- c. All construction shall occur between the hours of 6:00 am and 9:00 pm as required by the Town of Moultonborough Unnecessary Noise Ordinance (Section 10.2(6)).
- d. The applicant shall clean construction vehicles before they exit the construction site, and clean and sweep all streets affected by their construction truck traffic as necessary.

9. Fire Department

All work shall comply with the requirements of the Moultonborough Fire Department as affected by this decision.

10. Office of the Building Inspector

All work shall comply with the requirements of the office of the Moultonborough Building Inspector as affected by this decision.

11. Utilities

Any utility installation shall be reviewed and approved by the Code Enforcement Officer prior to the issuance of a Building Permit.

12. Lighting

All lighting shall be in conformance with the Town of Moultonborough Zoning Ordinance and Site Plan Regulations.

13. Signage

Any proposed signage shall be in compliance with the Town of Moultonborough Zoning Ordinance, Article 5, and shall be reviewed and approved by the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy for the site.

14. Use of Boat Storage Racks

The boat storage racks indicated on the plan as “Temporary Seasonal Racks” are to be used in the winter season, while relocated inside the main structure, only. There shall be no use of these racks for boat storage while they are outside of the main structure. While in the summer location the racks shall operate as parking spaces only.

15. Waivers

The Planning Board hereby grants the following waivers to the Site Plan Regulations:

- a. Topography (Site Plan regulations Section 10(A)(2))
- b. Other waivers from the strict requirements of Site Plan Application Submission as applicable to this Site Plan amendment Decision.

16. E-911 Numbering

The site shall conform with the Town of Moultonborough Building Numbering System Ordinance (Section 20), prior to the issuance of a Certificate of Occupancy for the site.

17. Testimony and Representation at Public Meetings

All testimony and representations made by the applicant or their representatives during the Public Hearing(s) and Public Meeting(s) shall be incorporated into this approval and part of this Notice of Decision.

18. Right to Amend Decision

The Planning Board reserves the right to modify or amend this approval on application of the owner, lessee, or mortgagee of the premises, or upon its own motion, as permitted by the Town of Moultonborough Site Plan Regulations, Section 6, and RSA 676:4.

19. Violations

Violations of any condition of this decision shall result in placement of a Stop-Work Order or a Cease and Desist Order, as appropriate, on the property by the Building Inspector and/or the Planning Board, unless the violation of such condition is cured within fourteen (14) days, or waived by a majority vote of the Planning Board. Outstanding violations of the approved plans or conditions of approval may result in the revocation of this approval by the Planning Board.

This decision shall not take effect until thirty (30) days have elapsed and no appeal has been filed or that if such appeal has been filed, and it has been dismissed or denied, it is recorded in the Carroll County Registry of Deeds, in accordance with RSA 677:15.

Judith A. Ryerson
Chairman, Planning Board

Date _____