

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

Meeting Minutes

June 28, 2023

Present: Members: Sandra Kelly, Scott Bartlett, Brendan Connolly, John Annaian,
Peter Claypoole, Kevin Quinlan (Selectmen's Representative)
Alternate: Allen Hoch
Excused: Member: Norman Larson
Staff Present: Dari Sassan, Town Planner; Bonnie L. Whitney, Administrative Assistant

I. Call to Order: Chairman Kelly called the meeting to order at 7:00 PM.

II. Pledge of Allegiance: The Pledge of Allegiance was recited, led by Ms. Kelly. The members and staff then introduced themselves to the public. The Chair appointed Allen Hoch to sit on the board with full voting privileges in place of Norman Larson.

III. Review/Approval of Minutes:

Motion: Mr. Bartlett made the motion to approve the Planning Board Minutes of May 24, 2023, as amended. Mr. Quinlan Seconded. Motion carried unanimously.

It was noted that Mr. Quinlan was not present at the meeting on May 24, 2023. Mr. Quinlan withdrew his second on the motion.

Motion: Mr. Bartlett made the motion to approve the Planning Board Minutes of May 24, 2023, as amended. Mr. Connolly Seconded. Motion carried with Mr. Quinlan abstaining.

Motion: Mr. Claypoole made the motion to approve the Planning Board Minutes of June 14, 2023, as amended. Mr. Bartlett Seconded. Motion carried with Mr. Hoch abstaining.

IV. Other Business/Correspondence:

1. Final Review/Approval and possible signature of Planning Board Policies

Board members had been provided with a copy of the final draft of the policies and procedures. Members reviewed the final draft, making two additional changes, and correcting two typographical errors.

Motion: Mr. Bartlett moved to approve the Moultonborough Planning Board Policies as amended. Mr. Claypoole Seconded. Motion carried unanimously.

2. Mr. Sassan noted that there was a question regarding the procedure for the election of officers, specifically the voting that took place by secret ballot at the meeting on June 14, 2023. Mr. Sassan stated that staff have looked into this and were advised that it may be most appropriate to vote for officers in the open. He stated that he was not 100% convinced that that is the absolute final answer, but that was what was advised. It may make sense to simply re-vote, noting it is a board decision. Mr. Sassan offered to do additional research prior to taking a re-vote, or if the Board chooses to, they can simply take a re-vote. Mr. Sassan noted that one elected member was not present this evening, and suggested that it would be appropriate, and maybe best, to wait until all seven elected members are present to make an open vote.

A brief discussion took place regarding this matter. It was the decision of the board to postpone the re-vote until such a time that all seven elected members are present.

3. Voluntary Merger – Brent Gorey & Karel Hayes (85-19 & 20) (434 Bean Rd. & Bean Rd.)

Chairman Kelly noted that the Board was in receipt of an Application for and Notice of Voluntary Merger of Tax Map 85 Lots 19 and 20, as submitted by Brent Gorey & Karel Hayes.

Mr. Sassan referred to his staff memo prepared June 23, 2023, noting comments and recommendation.

Motion: Mr. Hoch made the motion that the Board determines that the Application of Brent Gorey & Karel Hayes (85-19 & 20) does not present a potential regional impact as defined in RSA 36:55. Mr. Connolly Seconded. Motion carried unanimously.

Members noted that the staff had recommended that the applicant be informed of his two comments, questioning how that would be done. It was noted that staff could incorporate those comments in the cover letter which is sent along with the original signed application back to the applicant for their recording at the Carroll County Registry of Deeds.

Motion: Mr. Quinlan moved to approve proposed voluntary lot merger of Tax Map 85 Lots 19 and 20, as requested by Brent Gorey & Karel Hayes, subject to the following conditions: 1) Applicant shall comply with all requirements of RSA 674:39-a. 2) No more than one unit suitable for use or occupancy as a dwelling unit shall exist on the lot unless necessary approvals are obtained, and to inform the applicant that this merger will be regarded by the Land Use Office as an overt action on the part of the landowner to treat the entire area of the merged lots as a single lot, thus eliminating the possibility of performing a lot restoration pursuant to RSA 674:39-aa. In addition, although the resultant lot will be less than 5 acres, the lot will not be exempt from the Wetlands Ordinance because this merger represents the “creation” of a lot after 1/3/2008. Mr. Hoch Seconded. The Motion carried unanimously.

4. Voluntary Merger – Jeremiah J. & Gina M. Manfra (128-85 & 90) (39 Blanc St. & Blanc St.)

Chairman Kelly noted that the Board was in receipt of an Application for and Notice of Voluntary Merger of Tax Map 128 Lots 85 and 90, submitted by Jeremiah J. & Gina M. Manfra.

Motion: Mr. Connolly made the motion that the Board determines that the Application of Jeremiah J. & Gina M. Manfra (128-85 & 90) does not present a potential regional impact as defined in RSA 36:55. Mr. Bartlett Seconded. Motion carried unanimously.

Mr. Sassan referred to his staff memo prepared June 23, 2023, noting comments and recommendation.

Motion: Mr. Quinlan moved to approve the proposed voluntary lot merger of Tax Map 128 Lots 85 and 90, as requested by Jeremiah J. Manfra & Gina M. Manfra, subject to the following conditions: 1) Applicant shall comply with all requirements of RSA 674:39-a, including the requirement that the written consent of each mortgage holder shall be required, and shall be recorded with the notice of the merger. 2) No more than one unit suitable for use or occupancy as a dwelling unit shall exist on the lot unless necessary approvals are obtained, and to inform the applicant that this merger will be regarded by the Land Use Office as an overt action on the part of the landowner to treat the entire area of the merged lots as a single lot, thus eliminating the possibility of performing a lot restoration pursuant to RSA 674:39-aa. In addition, although the resultant lot will be less than 5 acres, the lot will not be exempt from the Wetlands Ordinance because this merger represents the “creation” of a lot after 1/3/2008. Mr. Bartlett Seconded. The Motion carried unanimously.

5. Mr. Sassan noted that at the last meeting there was a conversation regarding driveways accessing two lots off Lady Slipper Lane. He and Scott Dvorak (Code Enforcement Officer) went to Lady Slipper Lane to look at the two sites. They did not have any concerns about what has been proposed and would like to look further at drainage. He requested input from both the DPW Director Chris Theriault) and the Fire

Chief (Dave Bengtson). Mr. Theriault noted that he did not have any major concerns so long as the drainage was managed correctly, and he has not heard back from Chief Bengtson.

Mr. Sassan discussed this briefly with Counsel. State statute is clear on how to handle possible changes for satisfaction of conditions of approval prior to final approval. That does not necessarily guide situations like this where final approval came many years ago.

Mr. Sassan read a suggested motion that may address this issue: “I move to allow the change from one driveway to two at lots 152-18 and 158-2, contingent upon provision of certification as required by the Land Use Office verifying the safety and drainage adequacy of newly proposed configuration and provision of suitable documentation of the new configuration.” They would make clear to the applicant that that action would not in itself, undue language that is in the deeds about the possibility of a shared driveway.

Members questioned if there was any issue between the owners of the two lots involved. Mr. Sassan noted that they both want their own driveway. Mr. Quinlan noted his concerns with abutters, adding that this subject was not noticed as being an agenda item, and the public does not know about it. He noted a concern with drainage, given the issues that had already taken place today due to the heavy rain. The board does not have anything to look at, a drainage plan, that could be reviewed by DPW, to verify that this will not create any issues.

Based on the comments made this evening it was the decision not to take any action on this matter this evening, allowing Mr. Sassan time to provide members with further information as well as determine what notification is necessary.

V. Workshop

Discussion on Master Plan Update – Ms. Kelly spoke briefly regarding the Master Plan update. She noted that it was brought to her attention that the Town of Alton has recently posted a new Master Plan on their website. [Click here](#) to go to the Alton 2023 Master Plan. She touched on the steps that Alton went through in preparing for their Master Plan. They began with a town-wide survey, having about a 30% response rate. Ms. Kelly thought that this would be a good place to start, suggesting that members look at Alton’s Master Plan.

Members questioned if there were funds available for outside consulting. Mr. Sassan will research the availability of funds for outside assistance.

Discussion on Zoning Amendments – Mr. Sassan briefly recapped the prior discussion on potential zoning amendments. Members referred to his memorandum of September 13, 2022 reviewing the list of potential zoning amendments. He noted another issue that frequently comes before the zoning board are setbacks. He suggested inviting Scott Dvorak and Clayton Titus (Code Enforcement Office) to a meeting to note some of the issues they have with explaining to property owners what is or isn’t allowed in the setbacks. The ordinance needs to be revised to be clearer to the public.

Members agreed with looking at Setbacks, Personal and Professional Services, Accessory Dwelling Units, and Certificates and Registrations. Mr. Sassan will look for example definitions of Personal and Professional Services.

Mr. Bartlett questioned if there would be any update on the Work Plan? Mr. Sassan stated that for him it would be beneficial to focus on the amendments a bit, as well as getting some momentum going forward on these two areas. Once they are up and going on those two, look at the Work Plan. Mr. Bartlett commented at one point there was discussion of a sign ordinance revision, noting the proliferation of “feather” signs, and vehicles being strategically placed with signage advertising a local business. He thought that there was a draft sign ordinance that had been worked on. Mr. Sassan agreed there was a draft, but that they had received push back on it. There were some individuals that had wished that they had been consulted prior

to the point the board had come to. It was noted that this work was done in work sessions and had not come to the point of conducting a public hearing, therefore there would have been time for the public to participate. This could be resumed again, and notifying when this would take place.

Mr. Sassan noted that there were no continued hearings or new submissions for either the July 12th or July 26th meetings. It was the decision of the Board to cancel the meeting of July 12th, allowing time for staff to research and draft materials on items noted above for their meeting on July 26th.

Motion: Mr. Connolly made the motion to cancel the July 12, 2023, Planning Board meeting. Mr. Quinlan Seconded. Motion carried unanimously.

VI. Adjournment: Mr. Quinlan made the motion to adjourn. Mr. Connolly Seconded. The Motion carried unanimously, and the Board adjourned at 8:35 PM.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant