



*Town of Moultonborough
Planning Board*

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Moultonborough, NH 03254
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August 27, 2024

Will & Christine Ames 2020 Trust
William & Christine Ames, Trustees
146 Long Island Road
Moultonborough, NH 03254

***Re: Five-lot Subdivision, and Conditional Use Permit, 527 Moultonboro Neck Road,
Tax Map 192, Lot 6***

Dear Mr. and Mrs. Ames:

At their regular meeting held on Wednesday, August 14, 2024, the Planning Board conditionally approved your application for a five-lot subdivision of Tax Map 192, Lot 86 consisting of 95 acres +/-, and a Conditional Use Permit for your property located within the Residential/Agricultural Zoning District, partially within the Groundwater Protection Overlay District, creating 4 new lots of 5.07 acres, 5.67 acres, 5.07 acres and 5.04 acres fronting on Shaker Jerry Road, with a residual lot of 68 + acres, and a CUP to allow for the construction of a driveway within the wetland buffer to provide access for proposed lots 3 & 4, as shown on the subdivision plan.

Prior to public input the Planning Board voted seven (7) in favor (Annaian, Larson, Bartlett, Claypoole, Connolly, Quinlan, Kelly) that this proposed five lot subdivision did not have the potential for Regional Impact.

The Planning Board then voted seven (7) in favor (Annaian, Larson, Bartlett, Claypoole, Connolly, Quinlan, Kelly) to grant the formal request for wetlands delineation (of residual Lot 11) (Subdivision Sections 4.3.1.3 - 13) as requested as the strict conformity with the regulation would pose an unnecessary hardship to the applicant and would not be contrary to the spirit and intent of the regulations.

After public input, the hearing was closed, and the Planning Board voted seven (7) in favor (Annaian, Larson, Bartlett, Claypoole, Connolly, Quinlan, Kelly), and none (0) opposed, to **approve** the Conditional Use Permit pursuant to Zoning Article 9.1.7.1 allowing for the of a driveway within the wetland buffer to provide access for proposed lots 3 & 4, as shown on the subdivision plan, subject to compliance with the following conditions:

1. Perpetually comply with Wetlands Ordinance requirements, to include continual satisfaction of the criteria set forth in Zoning Article 9.1.7.8.
2. Construction phase and permanent erosion control and drainage features shall be installed and maintained to function as required.
3. Prior to construction of driveway, all required federal, state, and local approvals, including DES wetlands approval, shall be obtained.
4. All representations made by the applicant and applicant's agent shall be incorporated as a condition of approval.

The Board then voted seven (7) in favor (Annaian, Larson, Bartlett, Claypoole, Connolly, Quinlan, Kelly), and none (0) opposed, to **approve** the subdivision application to divide Lot 192-6 into five lots with the following conditions:

Conditions precedent, to be completed prior to signature of final plans by the Planning Board Chairman:


1. Add the following plan notes/revisions prior to submission of final plan for Planning Board signature:
 - a. Obtain required federal, state, and local approvals, and identify said approvals on plan by approval date and permit all number.
 - b. All pins to be set and identified on plan.
 - c. Confirm lot numbers with Assessing Department.
 - d. All conditions subsequent shall be included as plan notes.
2. All required federal, state, and local approvals shall be obtained.
3. Conditions precedent shall be completed, and plan shall be signed and recorded, by 8/14/2026.

Conditions subsequent, to be continually complied with:

4. Approved uses: Lots may undertake uses permitted in the Residential/Agricultural Zoning District, subject to applicable application and permitting requirements.
5. Prior to development of lots, all necessary federal state and local approvals shall be obtained, to include town building permit approval, and all conditions of such permits shall be perpetually complied with.
6. Perpetually comply with Groundwater Protection Overlay District requirements.
7. All uses of both lots shall perpetually comply with Wetlands Ordinance requirements, as any exemptions per Zoning Article 9.1.5 shall no longer apply because this subdivision represents the "creation" of lots after 1/3/2008.
8. E-9-1-1 addresses shall be obtained at the time driveways are placed and prior to occupancy.
9. All representations made by the applicant and applicant's agent shall be incorporated as a condition of approval.

If you have questions or comments on this matter, please contact the Land Use Department at 603-476-2347.

Yours truly,


Sandra M. Kelly
Chairman

cc.

- o Map Lot Document File
- o Walter Horton (by email only at walter@amesassociates.com)
- o Tom Hughes, Town Assessor (by email only at thughes@moultonboroughnh.gov)
- o Jeff Blackwell, CEO (by email only at jblackwell@moultonboroughnh.gov)