



Town of Moultonborough Planning Board

Notice of Decision

Site Plan Review

KS Land Holdings, LLC / TM 23-34

October 11, 2018

Applicant: KS Land Holdings, LLC
PO Box 341
Moultonborough, NH 03254

Location: Whittier Highway (Tax Map 23-34)
Owner of Record: Ling-Yuan Lin

On September 26, 2018, the Planning Board of the Town of Moultonborough accepted an application for site plan review for KS Land Holdings, LLC, PO Box 341, Moultonborough, NH 03254 (hereinafter referred to as the "Applicant" and/or "Owner") to allow for the construction of a building for a Stone Mason Contractor, office space and light manufacturing consisting of the onsite prefabrication of stone products; and on-site material storage, product display, with parking and drainage improvements for the site located in the Commercial Zone "B" District.

At the meeting on September 26, 2018, the Planning Board continued the hearing to October 10, 2018 to allow for revised plans, topographical and drainage plans to be submitted.

At the meeting on October 10, 2017, the Board voted seven (7) in favor (Bartlett, Hoch, Larson, Lindamood, Kelly, Quinlan, Stephens), none (0) opposed to approve the site plan application for Tax Map 23 Lot 34, located in the Commercial Zone "B" District.

1. Conformance with Plan

Work shall conform with the plan entitled, "Site Plan of Land of Ling-Yuan Lin; Tax Map 23 Lot 34; Whittier Highway / N.H. Route 25; Moultonborough, Carroll County, NH; Prepared for KS Land Holdings, LLC 28 August 2018", prepared by David M. Dolan Associates, P.C. with a revision date of 10/12/18.

2. Amendments

Any modification to this approved amended plan, 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. 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 decision 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.

- a) The Owners' signatures added to the final plat prior to signing;
- b) Add the Licensed Land Surveyor's stamp and signature to the plan;
- c) Receipt of an amended State of NHDOT Driveway Permit;
- d) A Requirement for an annual Stormwater Management System Inspection & Maintenance Plan (due on July 1st) to the Land Use Department;
- e) Amend Note #13 (page 2 of 8) adding the proposed lighting to be motion sensor operated;
- f) Receipt of NHDES Approval for Construction for an on-site septic system;
- g) Require necessary approval for proposed signage;
- h) The final plans be submitted to the Land Use Department in electronic format to include both a pdf and an approved CAD file format.

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 the State of New Hampshire 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. Code Enforcement Office

All work shall comply with the requirements of the Moultonborough Code Enforcement Office as affected by this decision.

11. Lighting

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

12. Signage

Any proposed signage shall comply 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.

13. Waivers

None requested.

14. 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.

15. 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.

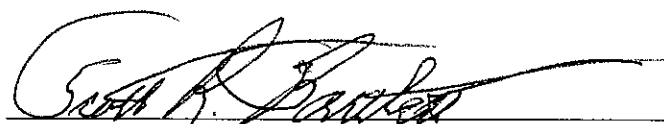
16. Right to Amend Decision

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.

17. 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.



Scott R. Bartlett
Chairman

Date 10-11-18