



***Town of Moultonborough  
Planning Board***

6 Holland Street – P. O. Box 139  
Moultonborough, NH 03254  
(603) 476-2347 - Fax (603) 476-5835  
e-mail: dsassan@moultonboroughnh.gov

**Notice of Decision  
Amended Site Plan Review Permit  
SLPHQ, LLC /Tax Map 135, Lot 16**

January 26, 2022

**Applicant:** SLPHQ, LLC  
62 Moultonboro Neck Road  
Moultonborough, NH 03254

**Location:** 62/70 Moultonboro Neck Road (Tax Map 135, Lot 16)

On January 12, 2022, the Planning Board of the Town of Moultonborough opened a public hearing on the application of SLPHQ, LLC, 62 Moultonboro Neck Road, Moultonborough, NH 03254 (hereinafter referred to as the "Applicant" and/or "Owner") to amend their approved site plan to remove an existing container building (1,040 sq ft), eliminate a previously approved pole barn (1,600 sq ft) and replace with one 44' x 133' (5,852 sq ft) pole barn to be used for dry storage for the site located in the Residential Agricultural (R/A) Zoning District.

Prior to public input on January 12, 2022, the Planning Board voted six (6) in favor (Larson, Kelly, Claypoole, Quinlan, Bartlett, Hoch) that this proposed site plan amendment did not have the potential for Regional Impact.

After public input, the hearing was closed on January 12, 2022, and the Planning Board voted six (6) in favor (Larson, Kelly, Claypoole, Quinlan, Bartlett, Hoch), and none (0) opposed, to **approve** the site plan application with seven waivers from the Site Plan Review Regulations, Section 10.3.2.3 Finished Floor Elevation, Section 10.1.2 Finished Contours, Section 10.3.5 to depict existing utilities, Section 10.3.9 Lighting Plan, Section 10.3.6 Landscape Plan, Section 13.4 Erosion Control Plan, and Section 10.3.11 Stormwater for Map 135, Lot 16 at 62/70 Moultonboro Neck Road, located in the Residential Agricultural (R/A) Zoning District subject to the following conditions:

**1. Conformance with Plan**

Work shall conform with the plan entitled "Amended Site Plan, SLPHQ, LLC, Tax Map 135 Lot 16, Moultonborough, Carroll Co., NH, December 4, 2019, Scale 1" = 30', prepared by Carl R. Johnson with a final revision date of December 14, 2021, and inclusive all items identified in this Notice of Decision, prior to the signing of the plat by the Planning Board Chair. ***No work will occur until such time that all outstanding conditions have been met, and the site plan has been signed by the Chairman of the Planning Board.***

## **2. Amendments**

Any modification to this approved plan and dated December 4, 2019, with a final revision date of December 14, 2021, 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, and this decision shall be referenced on the plans, prior to any construction commencing.

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 plans by the Planning Board Chairman.
  - a. Affix wet stamps and signatures of all professionals and scientists.
  - b. Add note indicating that exterior lighting shall comply with Zoning Article 6.6.5.
  - c. All Conditions subsequent shall be included as plan notes.
2. All required federal, state, and local approvals shall be obtained.
3. Conditions precedent to be completed by 1/12/2024.

Conditions subsequent, to be continually complied with:

4. All conditions of previous site plan approvals, including all required periodic inspections, maintenance, and reports, shall remain as requirements of the development, maintenance, and operations of the site unless expressly superseded by this approval.
5. Comply with Wetlands Ordinance and Groundwater Protection Ordinance requirements.
6. All construction-phase and permanent drainage structures and stormwater management facilities shall be maintained to perform as represented and intended.
7. All representations made by the applicant and applicant's agent shall be incorporated as a condition of approval.

## **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 right-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. 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.

### 18. Certificate of Occupancy

Prior to the commencement of any commercial or nonresidential activity, you are required to provide an as-built site plan to the Land Use Department AND obtain a Certificate of Occupancy (CO) from the Code & Compliance Officer. *(The CO requires a site inspection and subsequent sign-off by the CCO, the Town Planner and the Fire Chief on the CO application.)*

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.



Dari Sassan  
Town Planner

cc. Carl. R. Johnson (by email only at [surveyor794@yahoo.com](mailto:surveyor794@yahoo.com))  
Stefan Zalewski (by email only at [szalewski@moultonboroughnh.gov](mailto:szalewski@moultonboroughnh.gov))  
Map Lot Document File

1/26/2022 – Corrected Notice of Decision removing condition 3.1.d “Provide recorded easement to the sewer line for future connections” which was included in error on the original Notice of Decision