



Town of Moultonborough Zoning Board of Adjustment

Notice of Decision

Request for Limited Special Exception/Temporary Use

Great Waters Music Festival

Map 408 Lot 2.1

April 19, 2023

Applicant: Great Waters Music Festival
PO Box 488
Wolfeboro, NH 03894

Location: 483 Ossipee Park Road, Moultonborough, NH (Tax Map 408, Lot 2.1)
Owner of Record: Castle Preservation Society

On April 19, 2023, the Zoning Board of Adjustment of the Town of Moultonborough opened a public hearing on the application of Great Waters Music Festival, Owner of Record, Castle Preservation Society (hereinafter referred to as the "Applicant") for an application for a Limited Special Exception/Temporary Use under MZO Article 11.3 to allow six events during the summer of 2023 consisting of five music performances on July 15, 22, and 28 and August 5 and 19 and a gala on August 16 on a parcel located in the Residential/Agricultural Zone at 483 Ossipee Park Road.

Based on the application, testimony given at the hearing, and supporting documentation and plan(s), the Board hereby makes the following findings of fact:

- 1) The property is located at 483 Ossipee Park Road, Moultonborough, NH (Tax Map 408, Lot 2.1).
- 2) Castle Preservation Society is the owner of record for the lot.
- 3) The lot is in the Residential/Agricultural Zone.
- 4) The proposal is to allow six events during the summer of 2023 consisting of five music performances on July 15, 22, and 28 and August 5 and 19 and a gala on August 16 on the lot.
- 5) Barbara Lobdell presented the application to the Board.
- 6) Prior to public input, the zoning board voted five (5) in favor (Mills, DeMeo, Poloian, St. Peter, Stephens) and none (0) opposed that the proposal did not have the potential for Regional Impact.
- 7) The specific site is an appropriate location for the use as the events will take place on an existing commercial site that is surrounded by open space, and conservation land.

- 8) The use is compatible with the character of the neighborhood in Residential/Agricultural Zoning District and the events will take place on an existing commercial site that is surrounded by open space, and conservation land.
- 9) The property values in the district will not be negatively impacted by the use as there are no surrounding residences and no testimony indicating otherwise, and the activities as proposed will not impact values.
- 10) The capacity of existing roads to carry related traffic is sufficient to allow for the operation of the site as proposed without the need for upgrades or repairs of the roadway because as it is located off NH Route 171, on Ossipee Park Road, which is already being used for access and egress of commercial activity.
- 11) The application meets all the requirements for a Special Exception under Section 11.3.

On April 19, 2023, the Zoning Board of Adjustment decided by a vote of five (5) in favor (Mills, DeMeo, Poloian, St. Peter, Stephens) and none (0) opposed, to grant the request for a limited special exception/temporary use with the following conditions:

- 1) Project shall obtain necessary state and local permits, and all conditions of such permits shall be complied with.
- 2) All representations made by the applicant and applicant's agent shall be incorporated as a condition of approval.
- 3) The applicant and owner are solely responsible for complying with the conditions of approval.
- 4) Per Section 11.3, the limited special exception/temporary use will expire on 4/12/2024 and may be renewed upon reapplication to the zoning board of adjustment. Such occupancy and use shall be of a temporary nature, with no expectation of becoming permanent.

Further, the Board voted to close the Public Hearing. They moved to direct Staff to draft a formal Notice of Decision for review and approval for signing at the next meeting.

The Board of Adjustment, on June 7, 2023, approved this formal Notice of Decision language and authorized the Chairman to sign the Notice of Decision, send to the applicant and place same in the case file by a vote of four (4) in favor (Mills, Poloian, St. Peter, Stephens), and one (1) abstention (Jakobsen).

The decision made to grant the special exception on April 19, 2023, shall not take effect until thirty (30) days have elapsed and no request for rehearing has been filed in accordance with RSA 677:2, or that if such request has been filed, it has been dismissed or denied, in accordance with RSA 677:3.



Robert H. Stephens
Chairman, Zoning Board of Adjustment

cc. Scott Dvorak – Building Inspector (by email only at sdvorak@moultonboroughnh.gov)
Map Lot Document File