



Town of Moultonborough Zoning Board of Adjustment

Notice of Decision

Request for Limited Special Exception/Temporary Use

Tartaglia's Pizza

Trexler's Marina

Map 255, Lot 1

May 5, 2021

Applicant: **Tartaglia's Pizza**
 P.O. Box 1188
 Campton, NH 03223

Trexler's Marina, Betty Trexler Trust, Owner
15 Long Island Road
Moultonborough, NH 03254

Location: **15 Long Island Road, Moultonborough, NH (Tax Map 255, Lot 1)**

On May 5, 2021, the Zoning Board of Adjustment of the Town of Moultonborough opened a public hearing on the application of Tartaglia's Pizza (hereinafter referred to as the "Applicant") and landowner Trexler's Marina for an application for a Temporary Use Special Exception under MZO Article 11.3 to allow the sale of pizza and refreshments from a mobile food truck on a parcel owned by the Betty Trexler Trust, located in the Residential/Agricultural District at 15 Old Long Island 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 15 Old Long Island, Moultonborough, NH (Tax Map 255, Lot 1).
- 2) The Betty Trexler Trust is the owner of record for the lot. Betty Trexler is the Trustee.
- 3) The lot is located in the Residential/Agricultural R/A) Zoning District.
- 4) The proposal is to allow the use of a mobile food truck on the lot.
- 5) Scott Trexler, Agent, presented the application to the Board.
- 6) Catherine Tartaglia of Tartaglia's Pizza was present for the Public Hearing.
- 7) The specific site is an appropriate location for the use as it is located adjacent to other commercial businesses in a commercial zoning district.
- 8) The use is compatible with the character of the neighborhood in the R/A Zoning District as it is located adjacent to other commercial businesses in a R/A zoning district.

- 9) The property values in the district will not be negatively impacted by the use in the district because uses such as these are expected by property owners and consistent with the theme of nearby tourist and food uses.
- 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 there will be little to no use generated trips. The trips will be existing ones already on the highway.
- 11) On May 5, 2021, the Zoning Board of Adjustment voted, by a vote of five (5) in favor (St. Peter, Jenny, DeMeo, Poloian, Stephens) and none (0) opposed, to grant the request for a temporary use special exception, with the following conditions: 1) This approval shall be valid from mid-May through mid-September for 1-2 days a week 11 AM – 5 PM; 2) The ZBA may revoke the temporary use approval should any safety issues be observed and reported; 3)) Provisions for trash pickup; and further 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 May 17, 2021 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 five (5) in favor (St. Peter, Jenny, Hopkins, DeMeo, Stephens,), none (0) opposed, and no (0).

The decision made to grant the variance on May 5, 2021, 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. Map Lot Document File

Date: May 17, 2021