



Town of Moultonborough Zoning Board of Adjustment

Notice of Decision

Request for Limited Special Exception/Temporary Use Briana Stephens, Member of Lake Life Headquarters, LLC Map 141, Lot 12

February 17, 2022

Applicant: **Briana Stephens, Member
Lake Life Headquarters, LLC
87 Whittier Highway
Moultonborough, NH 03254**

Location: **87 Whittier Highway, Moultonborough, NH (Tax Map 141, Lot 12)**

On February 16, 2022, the Zoning Board of Adjustment of the Town of Moultonborough opened a public hearing on the application of Briana Stephens, Lake Life Headquarters, LLC (hereinafter referred to as the "Applicant") for an application for a Temporary Use Special Exception under MZO Article 11.3 to allow for Food Truck Vendors on the site, one day a week, April through October 2022 on a parcel located in the Commercial Zone A, West Village Overlay District at 87 Whittier Highway.

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 87 Whittier Highway, Moultonborough, NH (Tax Map 141, Lot 12).
- 2) Lake Life Headquarters, LLC is the owner of record for the lot.
- 3) The lot is in the Commercial Zone A zoning district and the West Village Overlay District.
- 4) The proposal is to allow for a maximum of two mobile Food Truck Vendors on the lot.
- 5) Briana Stephens, Member, presented the application to the Board.
- 6) The specific site is an appropriate location for the use as it is located adjacent to other commercial businesses in a commercial zoning district.
- 7) The use is compatible with the character of the neighborhood in the Commercial A Zoning District as it is located adjacent to other commercial businesses in the West Village Overlay District.
- 8) 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.

- 9) 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 on NH Route 25.
- 10) On February 16, 2022, the Zoning Board of Adjustment voted, by a vote of three (3) in favor (Poloian, Mills, St. Peter) and none (0) opposed, to grant the request for a limited special exception/temporary use, with the following conditions: 1) Use shall be placed in accordance with approved site plan.; 2) Approved use may be conducted one day per week, from 11 AM to 2 PM, April through October; 3) Applicant shall provide directional signs for use of the patrons of the food truck; 4) All required state and local approvals, including any required permissions from NH DOT shall be obtained; 5) All representations made by the applicant and applicant's agent shall be incorporated as a condition of approval; 6) The Applicant and owner are solely responsible to comply with conditions of approval; 7) Per Zoning Article 11.3, this Special Exception expires on 2/16/2023, 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 March 16, 2022, approved this formal Notice of Decision language and authorized the Vice 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 (DeMeo, Poloian, Mills, St. Peter), none (0) opposed, and one (1) abstention (Stephens).

The decision made to grant the variance on February 16, 2022, 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 St. Peter
Vice Chairman, Zoning Board of Adjustment
cc. Map Lot Document File