



Town of Moultonborough Zoning Board of Adjustment

Notice of Decision **Request for Special Exception** **Clubhouse Motorsports, LLC /Tax Map 23, Lot 38**

December 19, 2019

Applicant: Clubhouse Motorsports, LLC
Eric Colbath
83 Waukewan Road
Center Harbor, NH 03226

Location: 1172 Whittier Highway (Tax Map 23, Lot 38)

Owner of Record: Rudolph S. Steinsky Rev. Trust of 1998 and
Veronica H. Steinsky Rev. Trust of 1998

On December 18, 2019, the Zoning Board of Adjustment of the Town of Moultonborough opened a public hearing on the application of Clubhouse Motorsports, LLC (hereinafter referred to as the "Applicant" and/or "Owner") for an application for Special Exception under Article VII.D to allow the storage, service, sales and repair of motorcycles, snowmobiles, and all-terrain vehicles, as well as accessories for these vehicles on the parcel located in the Commercial Zone "B" and the Residential Agricultural (R/A) Zoning District at 1172 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 1172 Whittier Highway (Tax Map 23, Lot 38)
- 2) Rudolph S. Steinsky Rev. Trust of 1998 and Veronica H. Steinsky Rev. Trust of 1998 are the owners of record for the lot.
- 3) Eric Colbath presented the application to the Zoning Board of Adjustment.
- 4) The lot is located in the Residential Agricultural (R/A) Zoning District and Commercial Zone B.
- 5) The lot is subject to the Groundwater Protection Overlay District requirements contained in the Moultonborough Zoning Ordinance.

- 6) The existing site contains a commercial structure.
- 7) The proposal is to allow the storage, service, sales and repair of motorcycles, snowmobiles, and all-terrain vehicles, as well as accessories for these vehicles.
- 8) No members of the public spoke during the Public Hearing.
- 9) The specific site is an appropriate location for the use as it is located adjacent to other commercial businesses.
- 10) The use is compatible with other businesses in Commercial Zone B. There are existing snowmobile storage and repair shops in Zone B as well as other motorsports businesses.
- 11) The property values in the district will not be negatively impacted by the use in the district as this is located in Commercial Zone B with surrounding commercial businesses that currently repair and store boats.
- 12) There will be no nuisance or hazard to pedestrians or vehicles from any activity conducted on the site as it will predominately be used by customers and employees. The area around the Property is not a high foot traffic location so pedestrians will not be an issue. Vehicle noise will be minimal and similar to traffic on Route 25.
- 13) There will be no additional burden on Town infrastructure or services by the proposed operation.
- 14) The proposed use complies with the minimum land space requirements of Article III, Table I.
- 15) 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.
- 16) The Board found that the applicant met the criteria for having a fire suppression system through the use of four strategically placed fire extinguishers.

On December 18 2019, the Zoning Board of Adjustment voted by a vote of five (5) in favor (Stephens, Bickford, St. Peter, Jenny, Hopkins) and none (0) opposed to grant the request for a special exception for the storage, service, sales and repair of motorcycles, snowmobiles, and all-terrain vehicles, as well as accessories for these vehicles with the following conditions: 1) Revise note 9-proposed uses, on the existing as-built plan to add the reference to the special exception and use; 2) Revise note 11-parking requirements, on the existing as-built plan to reflect the change in use for the parking calculations; 3) Obtain an amended NHDOT Driveway permit prior to receiving a Certificate of Occupancy; 4) Revise note 13 on the existing as-built plan to add the required amended Driveway permit number; 5) Resubmit the revised As-Built Site Plan to the Land Use Dept., 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 their next meeting.

The Board of Adjustment, on January 15, 2020, approved this formal Notice of Decision language and authorized the Chairman to sign the Notice of Decision and send to the applicant and place same in the case file by a vote of three (3) in favor (Stephens, Bickford, St. Peter) and one (1) abstention (DeMeo).

The decision made to Approve the special exception on December 18, 2019 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

Date 1-15-20

