



Town of Moultonborough Zoning Board of Adjustment

Notice of Decision

**Request for Special Exception – Article VII.A.1
Harold Douglas, III & Mal Louise Merrill and
Suzanne Patricia & David Alan Maybee
Map 117, Lot 11**

April 8, 2019

Applicants:

**Harold D. Merrill, III
Mal Louise Merrill
PO Box 949
Center Harbor, NH 03226**

**Suzanne P. & David A. Maybee
6017 Valerian Lane
Rockville, MD 20852**

Location: 4 Big Goodwin Island, Moultonborough, NH (Tax Map 117, Lot 11)

On April 3, 2019, the Zoning Board of Adjustment of the Town of Moultonborough opened a public hearing on the application of Harold Douglas, III & Mal Louise Merrill and Suzanne Patricia & David Alan Maybee (hereinafter referred to as the "Applicant" and/or "Owner") for an application for special exception under Article VII Paragraph A. (1) to subdivide the island into two condominium units on the parcel located in the Residential Agricultural (RA) Zoning District at 4 Big Goodwin Island.

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

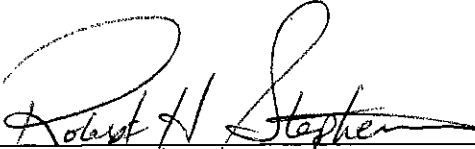
- 1) The property is located at 4 Big Goodwin Island (Tax Map 117, Lot 11).
- 2) The applicants are the owners of record for the lot.
- 3) The applicants were represented at the Public hearing by Patrick Wood of Patrick Wood Law Office, PLLC. Chip Merrill was present in the audience for the public hearing.
- 4) The lot is located in the Residential Agricultural (RA) Zoning District.
- 5) No members of the public wished to speak during the Public Hearing.

- 6) There are two (2) existing residential dwelling units on the Island. Each dwelling unit has two (2) bedrooms.
- 7) There is a NHDES approval for construction (CA1997001938 & CA1997001921) for each dwelling and a NHDES approval for operation (CA1997001938A) for 600 GPD for a shared leachfield.
- 8) The applicants are proposing a condominium form of ownership for the property.
- 9) Attorney Wood provided sixteen (16) photos of various locations on the Island.
- 10) There will be no increase in the number of units.
- 11) There will be no increase in the number of bedrooms per unit.
- 12) The use meets current standards for septic and water systems.
- 13) Final condominium documents have been filed with the Land Use Department for review by Town Counsel.
- 14) The applicant has filed a Planning Board application for subdivision approval.
- 15) The application meets criteria a, b & c of the requirements for a Special Exception under Article VII.A.1. Criteria d & e are subject to Planning Board approval.

On April 3, 2019, the Zoning Board of Adjustment voted by a vote of five (5) in favor (Stephens, Bickford, St. Peter, Buy, Hopkins) and none (0) opposed to grant the request for a Special Exception conditional upon criteria e & d being completed and approved by the Planning Board, and further, to close the Public Hearing. The Board 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 April 17, 2019, 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, Hopkins), none (0) opposed and two (2) abstentions (DeMeo, Onthank).

The decision made to Approve the special exception on April 3, 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 4/19/19