



Town of Moultonborough Zoning Board of Adjustment

Notice of Decision **Request for Temporary Use Special Exception** **SRS North End Restaurant** **Map 65, Lot 1**

June 21, 2017

Applicant: SRS North End Restaurant Holdings, LLC
P.O. Box 1359

Center Harbor, NH 03226

Location: 882 Whittier Highway, Moultonborough, NH (Tax Map 65, Lot 1)

On June 21, 2017, the Zoning Board of Adjustment of the Town of Moultonborough opened a public hearing on the application of SRS North End Restaurant (hereinafter referred to as the "Applicant" and/or "Owner") for an application for a Temporary Use Special Exception under MZO Article XI, C to allow the use of a mobile pizza oven on the parcel located in the Commercial Zone C and Village Center Overlay District (VCOD) at 882 Whittier Highway.

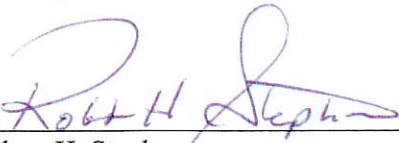
Based on the application, testimony given at the hearing, and supporting documentation, the Board hereby makes the following findings of fact:

- 1) The property is located at 882 Whittier Highway, Moultonborough, NH (Tax Map 65, Lot 1).
- 2) SRS North End Restaurant Holdings, LLC is the owner of record for the lot.
- 3) The lot is located in the Commercial "C" Zoning District.
- 4) The proposal is to allow the use of a mobile pizza oven on the lot.
- 5) Scott Ouellette presented the application to the Board.
- 6) No other members of the public were present for the Public Hearing.
- 7) The specific site was considered to be an appropriate location for the use as it is already a restaurant, function hall with an existing parking lot, and is located on Route 25 adjacent to other commercial businesses in a commercial zoning district.
- 8) The use was deemed compatible with the character of the neighborhood in the Commercial C Zoning District as it is already a business parking lot with traffic coming and going.
- 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 increase in generated trips. The trips will be existing ones already on the highway.
- 11) On June 21, 2017, the Zoning Board of Adjustment voted, by a vote of five (5) in favor (Stephens, Bickford, Zewski, St. Peter, DeMeo) and none (0) opposed, to grant the request for a temporary use special exception, with the following conditions: 1) This approval shall be valid for six (6) months; 2) Receipt of approval from the Fire Chief for the location and operation of the mobile pizza oven; 3) The location of the trailer shall be relocated to the east side of the existing parking lot; 4) Signage shall comply with the requirements of the Town of Moultonborough Zoning Ordinance, Article 5 Signs; 5) Hours of operation are 12 PM – ½ after civil twilight time; Thursday through Sunday; 6) Operation is for take-out service only; 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 July 19, 2017, 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 three (3) in favor (Stephens, Zewski, St. Peter), none (0) opposed and one (1) abstention (Jenny).

The decision made to grant the special exception on June 21, 2017, 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 7/22/17