



Town of Moultonborough Zoning Board of Adjustment

Notice of Decision

Request for Limited Special Exception/Temporary Use Great Waters Music Festival Map 408 Lot 2.1

April 23, 2023

Applicant: Great Waters Music Festival
PO Box 488
Wolfeboro, NH 03894

Location: 483 Ossipee Park Road, Moultonborough, NH (Tax Map 408, Lot 2.1)
Owner of Record: Castle Preservation Society

On April 3, 2024, the Zoning Board of Adjustment of the Town of Moultonborough tabled the application of Great Waters Music Festival, Owner of Record, Castle Preservation Society (hereinafter referred to as the "Applicant") for a Limited Special Exception/Temporary Use under MZO Article 11.3.

At the request of the Applicant's agent, the public hearing was continued to April 17, 2024. At the regularly scheduled Zoning Board meeting on April 17, 2024, the Board voted by a vote of five (5) in favor (Sperry, McDonough, Merrill, Poloian, Stephens) and none (0) opposed, to **grant** the Limited Special Exception/Temporary Use for Great Waters Music Festival to hold seven events during the summer of 2024 consisting of six music performances on July 13, 20, 27, and August 3, 9, 17 (7:30 pm start times) and a GALA evening on August 21 (5:00 pm start time) on a parcel located at 483 Ossipee Park Road, Tax Map 408, Lot 2, located in the Residential/Agricultural Zone at 483 Ossipee Park 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 483 Ossipee Park Road, Moultonborough, NH (Tax Map 408, Lot 2.1).
- 2) Castle Preservation Society is the owner of record for the lot.
- 3) Joan Myers presented the application to the Board.
- 4) The lot is in the Residential/Agricultural Zone.

- 5) Prior to public input, the zoning board voted five (5) in favor (Sperry, McDonough, Merrill, Poloian, Stephens) and none (0) opposed that the proposal did not have the potential for Regional Impact.
- 6) The proposal is to allow seven events during the summer of 2024 consisting of six music performances on July 13, 20, 27, and August 3, 9, 17 (7:30 pm start times) and a GALA evening on August 21 (5:00 pm start time) on the lot.
- 7) No member of the public spoke to the request for the Special Exception/Limited Temporary Use.
- 8) The specific site is an appropriate location for the use as the events will take place on an existing commercial site that is surrounded by open space, and conservation land.
- 9) The use is compatible with the character of the neighborhood in Residential/Agricultural Zoning District and the events will take place on an existing commercial site that is surrounded by open space, and conservation land.
- 10) The property values in the district will not be negatively impacted by the use as there are no surrounding residences and no testimony indicating otherwise, and the activities as proposed will not impact values.
- 11) 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 off NH Route 171, on Ossipee Park Road, which is already being used for access and egress of commercial activity.
- 12) The application meets all the requirements for a Special Exception under Section 11.3.

On April 17, 2024, the Zoning Board of Adjustment voted by a vote of five (5) in favor (Sperry, McDonough, Merrill, Poloian, Stephens) and none (0) opposed, to grant the request for a limited special exception/temporary use with the following conditions:

- 1) Project shall obtain necessary state and local permits, and all conditions of such permits shall be complied with.
- 2) All representations made by the applicant and applicant's agent shall be incorporated as a condition of approval.
- 3) The applicant and owner are solely responsible for complying with the conditions of approval.
- 4) Per Section 11.3, the limited special exception/temporary use will expire on 4/3/2025 and may be renewed upon reapplication to the zoning board of adjustment. Such occupancy and use shall be of a temporary nature, with no expectation of becoming permanent.

Further, the Board voted 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 1, 2024, 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 (McDonough, Poloian, Stephens), and two (2) abstentions (Mills, Jakobsen).

The decision made to grant the special exception on April 17, 2024, 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.

A handwritten signature in black ink, appearing to read "Robert H. Stephens", with a stylized, flowing script.

Robert H. Stephens
Chairman, Zoning Board of Adjustment

cc. Jeff Blackwell – Building Inspector (by email only at jblackwell@moultonboroughnh.gov)
Map Lot Document File