

**MOUNTAIN LAKES DISTRICT
PLANNING BOARD MEETING
December 9, 2010**

Call to Order: Pauline Bonanno called the meeting to order at 6:04 P.M.

Roll Call: Pauline Bonanno, Mike Bonanno, Christopher Demers, Tom Eighmy, and Elizabeth McCall

Absent: Florence Hartmann and Don Dubrule

Visitors: none

New Zoning Applications: Received permit to build shed on 200 Town and Country Way. Christopher Demers made a motion to approve the application. All were in favor.

Zoning Officer Report: Stan Brokowski sent in an update concerning the asbestos shingles on John Start's property on Swiftwater Circle. The letter was sent November 10, 2010 notifying him of the violation. The last review of the condition of his property was on November 29, 2010 and it was noted that the debris has not been removed from the site. Stan Brokowski has sent a copy of the written zoning violation and notified Mr. Start that the asbestos and debris on his property needs to be cleaned up and properly disposed of. If this is not taken care of, legal action will need to follow.

New Business: Tom Eighmy reviewed the upcoming schedule for 2011. This information can also be accessed on the District website: <http://mtlakesnh.net/>.

Thursday, Jan. 6, 2011	Planning Board Meeting	6P.M.
Monday, Jan. 10, 2011	Commissioners Meeting & Budget Hearing	6P.M.
Thursday, Feb. 10, 2011	Planning Board Meeting	6P.M.
Monday, Feb. 14, 2011	Commissioners Meeting	6P.M.
Tuesday, March 8, 2011	Haverhill Town Meeting	
Thursday, March 10, 2011	Planning Board Meeting	6P.M.
Saturday, March 12, 2011	Annual District Meeting	
10A.M.		
Monday, March 14, 2011	Commissioners Meeting	6P.M.

Pending Business:

1. Discussed the wording of the new Ordinance Proposal. They have received the draft from the lawyer. It was felt by some that the wording was too detailed and complicated. However, Mike Bonanno suggested that it be summed up short and simple when presented at the Annual District Meeting.

Tom Eighmy wanted to make sure that voters knew the purpose of this proposal is not to forbid homeowners to cut down trees on their property but to avoid people coming in to simply clear lots.

Discussed the definition of a tree as part of the lawyer's concern to make it legal.

Pauline Bonanno was concerned that they may have forgotten to include one of the permits in the bundling package that would be needed to start clearing a lot.

Tom Eighmy lead discussion about buffer area. It will be made mandatory to leave a minimum of 30% for buffer area. However, Christopher Demers brought up a possible problem with the buffers. He pointed out that preserving 30% of lot for a buffer area can make a the lot unbuildable. The lawyer warned against this because it would get Mountain Lakes in legal problems. Tom Eighmy said that in that case they could make exceptions.

Pauline Bonanno brought up a line that states that "it may be commenced without a Mountain Lakes District Zoning Permit". The goal is to include the Zoning Permit and the Building Permit.

Mike Bonanno asked if they were able to add items to the Zoning Permit. Christopher Demers said they could. Tom Eighmy suggested they add the rule concerning a buffer area to the Zoning Permit.

Elizabeth McCall asked if someone could still override this new Ordinance Proposal if they went to the state to get a permit to cut down a tree. Christopher Demers confirmed that it would not be possible.

Tom Eighmy asked what the lawyer meant by "otherwise converting the use of the lot". Pauline Bonanno said it may mean merging lots. Tom Eighmy said that every lot in Mountain Lakes is residential. Christopher Demers clarified that when two lots are merged, it changes the use of the lot because two houses are not allowed on one lot. Tom Eighmy felt that the way it was worded should be made simpler. Christopher Demers offered to ask the lawyer for clarification.

Pauline Bonanno brought up a couple lines in the draft that stated "The cutting will have no undo adverse impact on other properties in the area or upon the view of the area from road, streets, and bodies of water." All were in agreement that this line is up for interpretation. Tom Eighmy said that if there were problems then it would become the Planning Board's responsibility to take care of.

Pauline Bonanno asked how they would make sure the applicants followed through with keeping 30% for a buffer area. Christopher Demers said that they would have to mark it with spray paint or other for the Zoning Officer to see. Pauline Bonanno asked then if

checking the 30% buffer area would be made part of the Zoning Officer's job. Christopher Demers said yes.

Christopher Demers suggested they make a separate permit for clearing not for the purpose of building. Mike Bonanno asked if that would be considered a logging permit. Pauline Bonanno said that they would first have to get a permit through the state. In addition, the permit they would get through Mountain Lakes would make sure they kept the 30% buffer area and that it wouldn't have any adverse impact on other properties around it or upon the view of the area.

Elizabeth McCall asked if they should include something such as a fine. Christopher Demers said that if there is any violation of the Ordinance there is a fine. Mike Bonanno also pointed out that they would be violating RSA and the State Forestry.

Pauline Bonanno asked if they should check with the State Forestry to see if they would still back them up if they were to change this new Ordinance Proposal later on. Christopher Demers said he would look into it.

Discussed fines. It was agreed that fines should be higher than the worth of clear cutting a lot.

Mike Bonanno made a motion to accept the lawyer's revision subject to the answers of their questions and minor corrections. All were in favor.

2. Mike Bonanno asked if the Planning Board has to submit a budget to the Budget Committee. Christopher Demers said no. Brief discussion followed.

Mike Bonanno made a motion to adjourn the meeting. Pauline Bonanno seconded the motion. The motion passed unanimously. The meeting adjourned at 7:55 P.M.

Respectfully Submitted,

Tina Lalmond