

**MOUNTAIN LAKES DISTRICT
PLANNING BOARD MEETING
May 5, 2016
*UNAPPROVED***

Call to Order: Chairman Don Dubrulle called the meeting to order at 6:01 pm.

Roll Call: Don Dubrulle, Mike Roberts, Mike Bonanno, Robert Roudebush, Tom Eighmy, David Martella and David Selent were present. Bob Long and Gayle Lamm were present as guests.

Permit Application – Lamm – Deck/Dock: Mike Bonanno made a motion to move the Lamm permit application up in the agenda and consider it as the first item of business. Robert Roudebush seconded and the motion passed.

The Lamms submitted two packets, a zoning permit application for expanding their existing deck and an exception application for a new dock. After the Board reviewed and discussed the documentation, Don Dubrulle moved to approve the zoning permit application with the following conditions: 1) Zoning officer Stan Borkowski to sign the Zoning Compliance Checklist and 2) the homeowners to provide the Board with an “as built” plan drawing after they decide on the deck stair location and the project is completed. David Selent seconded; the motion passed.

Don Dubrulle moved that the exception application for the dock was in order for Planning Board purposes and it was okay to pass it along to the ZBA for approval. David Martella seconded; the motion passed.

Agenda Addition: Robert Roudebush asked that a discussion of the zoning officer’s position and procedures be added to the meeting agenda. The Board agreed the discussion would be added under New Business.

Approval of Minutes

- **April 7, 2016:** Mike Bonanno said “Windsor Avenue” should be changed to “Windsor Lane” on the second page of the minutes and moved to approve the minutes with the change. Robert Roudebush seconded; motion passed.

Approval of Agenda: Mike Bonanno moved to approve the agenda with the addition as noted above; Robert Roudebush seconded and motion passed.

Zoning Permit Applications:

- **Prater – Deck –** Mike Bonanno reported the Haverhill Planning Board approved the lot merger. The Board agreed the permit application should remain tabled until lot ownership was verified.
- **Porter – Shed –** Robert Roudebush moved to approve the permit. Mike Bonanno seconded; motion passed.
- **Sjolander – Shed –** David Martella moved to approve the permit. David Selent seconded; motion passed.

Review of Zoning Permits Report:

- **Long – New Home –** no change in project – David Martella noted the permit expiration should be changed to October 2016. *Kristi Garofalo will make the change.*
- **Krull – Addition –** no change in project – holding for written extension request
- **Roberts – Addition –** permit just issued; Mike Roberts said construction work has started.

Review of Incident Reports:

- **Ciotti – Swiftwater Circle – Property in Disrepair:** New owner is looking for contractor to begin repairs.
- **Prater – Lakeside Drive – Unpermitted Deck/Setback Concerns:** See above notes
- **Edwards – Valley Road – Unregistered Vehicle:** David Selent reported he gave Kristi Garofalo information about someone willing to remove the vehicle with the homeowner’s permission and Kristi Garofalo is contacting owner.

- **Weeks – Pawtuckaway Drive – Unpermitted Shed:** Bob Long reported the homeowner told the office staff that she will not re-apply for a permit.
- **Pixley/Jenks – Swiftwater Circle – Camper on Lot/Lot Clear Cut:** Bob Long said he visited the lot several times; the storage container is gone, but the camper is still there and no one was around when he went by. Bob Long said a cease and desist order should go out a lot sooner in cases like this and strongly suggested the process needs to change. Don Dubrule explained the current process: the office or the zoning officer becomes aware of a problem; the zoning officer confirms the violation; then writes the cease and desist order for the office to mail out. Discussion was held that some of the delay was due to the Board meeting only once a month and some recent meetings had no quorum available so no action could be taken. After further discussion about the need to protect other residents when violations like this occur and the need to pursue legal action against those who violate the zoning ordinance, Mike Bonanno made a motion to refer the file to the District's legal counsel. Robert Roudebush suggested amending the motion to read as follows: "to inform the District's legal counsel of the situation and ask him to address it legally with civic action." Mike Bonanno agreed to amend his motion as suggested; Tom Eighmy seconded the amended motion and it passed unanimously. **Robert Roudebush will notify the District's legal counsel.**
- **Wright – Bear Road – Lot Clear Cut:** The Board again discussed the cease and desist order process in light of the lot clearing violation on this site. Mike Bonanno moved this situation be added to the referral to the District's counsel for legal action, noting the violation of the clear cutting section of the ordinance and suggesting investigation of whether the logs removed were sold which would have required a letter of intent to cut and taxes paid to the town. Discussion followed about levying fines for violations; Mike Bonanno amended his motion to "... for legal action *and discussion of monetary fines...*" Tom Eighmy seconded the amended motion and it passed unanimously.
- **Windsor Lane – Sorrentino – Livestock on Site:** Mike Bonanno noted Windsor Avenue should be changed Windsor Lane on the tracking reports. He also reported he still hears chickens around this property; the Board agreed to ask the zoning officer to continue to monitor the property.
- **Jock – Windsor Lane – For Sale Sign/Yard Debris:** The zoning officer report stated the "for sale" sign is gone and the lot cleaned up. The Board agreed to remove the incident from the report.
- **Heartt – Wildcat Drive – Driveway Access:** The Board agreed to ask the zoning officer to continue to monitor the property to see if a secondary access is being used.

Old Business:

- **Maintenance/Rebuild Requirements – Accessory Definition: Tabled**

New Business:

- **Boat in Yard/Killer Hill Lot:** Mike Bonanno noted the zoning officer was asked to investigate a large boat parked in the front yard of a home on White Mountain Drive. He also said he saw an excavator on a lot at the top of Killer Hill and investigated. A large slash pile with rocks was removed and the terrain was smoothed in preparation for lawn seeding. The Board agreed the lot looks better now. Robert Roudebush noted the Board needs to have future discussions about Killer Hill's roadway if lots in the area are built upon.
- **Zoning Officer position:** Robert Roudebush asked when the zoning officer last came to a Board meeting and said he would have liked to have gotten his input several times earlier in the meeting. He suggested that the zoning officer be respectfully asked to be at the next meeting and also future meetings, at least for a while. Mike Bonanno suggested a letter or phone call to see when the zoning officer could meet. Robert Roudebush suggested designating someone from the Board to contact the zoning officer. Tom Eighmy suggested Robert Roudebush be the one to make the contact, the Board agreed, and Robert Roudebush accepted. Don Dubrule asked Robert Roudebush to emphasize to the zoning officer that the Board plans the meeting to be constructive, not negative.

Don Dubrule moved to adjourn and Mike Bonanno seconded. The meeting adjourned at 7:51 pm.

The next Planning Board meeting will be Thursday, June 9 at 6:00 pm at the District Office.

Respectfully submitted,
Kristi Garofalo