

**MOUNTAIN LAKES DISTRICT  
PLANNING BOARD MEETING VIA ZOOM VIDEO CONFERENCING  
October 15, 2020  
\*UNAPPROVED\***

Chair Mike Bonanno read a statement that the Board was authorized to meet electronically due to the declared state of emergency (COVID-19), that the meeting had been properly noticed and information given to the public on how to join the meeting via Zoom Video Conferencing, and that all votes would be by roll call, in accordance with the provisions of the Governor's emergency order.

**Call to Order:** Chair Mike Bonanno called the meeting to order at 6:30 pm.

**Roll Call:** Mike Bonanno with Polly Bonanno, Mike Roberts (alone), Don Dubrule (with Gail Dubrule), John Hakola (with Cheryl Hakola) and alternate member David Martella (alone) were present via Zoom. Mike Bonanno declared a quorum present. Zoning Officer "Finn" Finnegan was absent and excused.

**Public Present:** Elizabeth Morrison, John Giddings, Sybil Owens, Randy Berenson and Ken Huard. Planning Consultant Tara Bamford joined the meeting at approximately 7:05pm.

**Approval of Minutes:**

**Sept. 17, 2020:** Mike Roberts moved to approve; Polly Bonanno seconded. Roll Call Vote: Mike Bonanno – Aye; Mike Roberts – Aye; Polly Bonanno – Aye; Don Dubrule – Aye; John Hakola – Abstain; motion passed.

**Sept. 24, 2020:** Don Dubrule moved to approve; Polly Bonanno seconded. Roll Call Vote: Mike Bonanno – Aye; Mike Roberts – Aye; Polly Bonanno – Aye; Don Dubrule – Aye; John Hakola – Aye; motion passed.

**Approval of Agenda:** The Board noted the dates under "Approval of Minutes" should be Sept. 17 and Sept. 24. They also agreed to add Swimming Pool Zoning Ordinance Revision with Tara Bamford under Old Business. Don Dubrule moved to approve the agenda with those amendments; Mike Bonanno seconded. Roll Call Vote: Mike Bonanno – Aye; Mike Roberts – Aye; Polly Bonanno – Aye; Don Dubrule – Aye; John Hakola – Aye; motion passed.

**Zoning Permit Applications:**

- **Morrison/Giddings – Garage:** The Board members agreed they had reviewed the application packet. In discussion, they noted the plot plan was missing the septic system location along with the "North" directional. They also noted questions about the listed dimensions and the lack of recommendation by ZO Finnegan. There being no motion to accept the application as complete, the Board asked the homeowners to provide the missing information for consideration at the next Board meeting.

**Review of Zoning Permits Report: No Report**

**Review of Incident Report: No Report**

**New Business:**

- **Future Meeting Method:** Mike Bonanno said the Board could meet at the Lodge with social distancing if Board members were comfortable doing that. After discussion, Mike Bonanno moved to have November meetings at the Lodge with social distancing; John Hakola seconded. Roll Call Vote: Mike

Bonanno – Aye; Mike Roberts – Aye; Polly Bonanno – Aye; Don Dubrule – Aye; John Hakola – Aye; motion passed. After further discussion about member safety in light of increasing COVID-19 case numbers and the difficulty of making meetings available via Zoom due to the Lodge acoustics and tech issues, Mike Bonanno withdrew his motion and the Board agreed to hold future meetings via Zoom only.

- **Zoning Violation Enforcement and Fines:** The Board discussed the authority to issue fines for zoning violations and who held that authority. Mike Roberts shared MLD ZO Section 1003.2 which indicated fines are issued by the courts after District petition. Mike Bonanno shared Section 1002 which says the administration and enforcement of the ZO is to be done by the Commissioners and/or their duly appointed representatives. After discussion, the Board agreed to look into the question further.

#### **Old Business:**

- **Ordinance Amendment– Swimming Pools:** Tara Bamford joined the meeting and gave input on the Board's work to date. She suggested pool information should be given its own section under ZO Section 307.1 (Accessory Uses) and that all information – building code requirements, setbacks, performance standards, etc. – be in one place so it would be easy for homeowners to find. She also brought up legal questions, including whether a pool permit could be seasonal or require an annual renewal, and noted the zoning ordinance couldn't be used to regulate how homeowners filled their pools (i.e. from District water system vs. outside source) and pools can't be prohibited from lakeside lots. The Board discussed the definition of pool to be used in the ZO amendment, considering adding 24-inch depth and 10-foot width at the widest point to the NH Building Code definition. Tara Bamford asked to Board to research the possible types of pools available on the market to see if there was anything else to be added to the definition.

After further discussion, the Board agreed on the following actions:

- Tara Bamford will provide a draft of the ZO amendment for the Board to review and will be at the Nov. 19 Board meeting to continue working with the Board.
- The Board members will continue work on their own version of the ZO amendment in the meantime and bring their information to the Nov. 19 meeting for further consideration.

**Comments of the Public: NONE**

**Comments of the Zoning Officer: NONE**

**Comments of the Board: NONE**

**Next Meeting Dates:** Thursday, Nov. 12 6:30 pm via Zoom – Regular Business/Morrison Application  
Thursday, Nov. 19 6:30 pm via Zoom – Work Session with Tara Bamford

**Adjournment:** Mike Roberts moved to adjourn; Polly Bonanno seconded. Roll Call Vote: Mike Bonanno – Aye; Mike Roberts – Aye; Polly Bonanno – Aye; Don Dubrule – Aye; John Hakola – Aye; motion passed. The meeting adjourned at 8:09 pm.

Respectfully submitted,  
Kristi Garofalo