

# MOUNTAIN LAKES DISTRICT PLANNING BOARD MEETING

December 8, 2015

**\*APPROVED\***

**Call to Order:** Chairman Don Dubrule called the meeting to order at 6:00 pm.

**Roll Call:** Don Dubrule, Chris Demers, and Mike Bonanno. David Selent was present as a guest.

**Approval of Minutes - November 5, 2015:** Chris Demers made a motion to amend the minutes by adding the zoning ordinance reference number so that the first sentence under the last heading (Zoning Ordinance Revisions) would read as follows: “Mike Bonanno asked if the Board wanted to make changes to the zoning ordinance \*number 406.4\* to be presented at the annual meeting.” Don Dubrule seconded the motion and the motion passed. Mike Bonanno moved to approve the minutes with the amendment; Chris Demers seconded and motion passed.

Don Dubrule appointed Mike Bonanno to act as chair for the January meeting as he will be out of town.

## **Zoning Permit Applications:**

- **Prater – Deck** – The Board agreed the permit application should remain tabled as the homeowner is taking steps to purchase and merge the adjoining lot.

## **Review of Zoning Permits Report:**

- **Heartt – Shed** – Zoning Officer Stan Borkowski reported the shed is complete. He also reported that under further investigation it doesn't appear the homeowner is constructing a secondary driveway access. The Board agreed to remove this item from the report.
- **Fallon – Deck** – Stan Borkowski reported the project is complete and signed off on the ZCC. The Board agreed to remove this item from the report.
- **Long – New Home** – The zoning officer report stated the home is nearly closed in.
- **Krull – Addition** – The zoning officer report stated framing is in process.
- **Sanzo – Enclosed Porch/Addition** – The zoning officer report stated that framing continues.

## **Review of Incident Reports:**

- **White Mountain Ext. – Killer Hill – Horne/Farr:** Chris Demers reported the North Haverhill Fire Department came to do a training burn on the slash pile, but after investigation did not burn it because the pile was more dirt than wood. The Board agreed to remove this item from the report.
- **Swiftwater Circle – Ciotti:** No new information.
- **Lakeside Drive – Prater:** See above notes.
- **Edwards – Unregistered vehicle** – Certified letter sent to owner on 10/6/15; still no response.
- **Wildcat Drive – Heartt** – See above notes. The Board agreed to remove this item from this report.
- **Lakeside Drive – Krot** – Kristi Garofalo reported the trees have been removed from the lake bed and are in a pile above water line. The Board agreed to remove this item from the report.
- **Newport Drive – Dukette** – Stan Borkowski reported he asked the realtor to remove the for sale sign on the property and it was done. The Board agreed to remove this item from the report.
- **Pawtuckaway Drive – Weeks** – The Board reviewed the cease and desist letter dictated by Stan Borkowski and agreed it should be sent either by certified mail or via Stan Borkowski. ***Kristi Garofalo will check with Stan Borkowski to see if the letter should be hand delivered; otherwise, she will send it by certified mail.***

- **Swiftwater Circle – Hudson** – The zoning report stated a travel trailer is parked on the undeveloped lot. *Kristi Garofalo sent the owner’s contact information to the zoning officer and will check with him to see if a letter has been sent.*
- **Bear Road – Wright** – Kristi Garofalo reported a complaint was received about an excavator parked on an undeveloped lot and possible clearing being done, but no permit paperwork has been received. Stan Borkowski has been asked to investigate.
- **Valley Road – Undeveloped Lot** – Kristi Garofalo reported a complaint was received about possible clearing being done. Stan Borkowski has been asked to investigate.

**Old Business:**

- **Zoning/Mapping Standardization: Tabled**
- **Swimming pools: Tabled**
- **Maintenance/Rebuild Requirements – Accessory Definition: Tabled**

**New Business:**

- **Zoning Ordinances vs. Covenants:** Don Dubrulle shared an email he received from Stephen Buckley of the NHMA in response to questions about making changes to the Mountain Lakes zoning ordinance that could directly conflict with the covenants. In his email response Stephen Buckley said private covenants are not enforceable by municipal organizations, but also said the District may be legally considered the “*de facto* owner”; if so, it could take a court order to release the District from the duty to enforce the covenants and give the District a free hand to adopt appropriate zoning regulations. After discussion, the Board agreed to continue without seeking to change the zoning ordinance at this time and Don Dubrulle said he would do further research.
- **New Board Member** – Mike Bonanno moved to ask the commissioners to appoint David Selent as a full member of the Planning Board. Chris Demers seconded and the motion passed. *Kristi Garofalo will put the appointment on the commissioners’ agenda.*
- **Incident Report Procedure** – The Board discussed the current process of investigating complaints and sending violation notices to homeowners. The Board agreed the process should go as follows: the report is made by phone, email, or in person to the office; the office notifies Stan Borkowski by email and provides additional information (owner’s name, map and lot number, etc.) as needed; Stan Borkowski investigates the complaint and takes action if needed. If a letter is sent, Stan Borkowski will send a copy to the office for the Board’s reference.
- **Notes for Zoning Officer** – The Board directed Kristi Garofalo to contact Stan Borkowski with the following notes/requests:
  1. Send him the above Incident Report Procedure to make sure he’s aware of it.
  2. Ask him to provide a date when he is available to meet with the Board in person. The Board agreed they would make every effort to attend such a meeting
  3. Ask him to investigate a report of a “for sale” sign on Windsor Lane.
  4. Ask him to investigate reports of clearing/driveway building around 40 Valley Road.
  5. Ask him to provide a copy of the letter sent to the owner of the lot on Swiftwater Circle regarding the travel trailer parked on the lot.

Mike Bonanno moved to adjourn and Chris Demers seconded. The meeting adjourned at 7:01pm.

The next Planning Board meeting will be Thursday, January 7 at 6:00 pm at the District Office

Respectfully submitted,  
Kristi Garofalo