

**MOUNTAIN LAKES DISTRICT
PLANNING BOARD MEETING At the District Office and via Zoom
October 20, 2022
*UNAPPROVED***

Call to Order: Chair Mike Bonanno called the meeting to order at 5:31pm.

Roll Call:

- **Board:** Mike Bonanno, Mike Roberts, Mike Bukowski and Don Dubrule were present. Mike Bonanno declared a quorum present. Board member John Acker joined the meeting at 5:58pm and alternate Board member Polly Bonanno was present via Zoom for the beginning of the meeting. Zoning Officer Courtney Lantz was present in-person for the duration of the meeting.
- **Public Present In-Person:** Bob Long
- **Public Present via Zoom:** Bill Clark, Randy Berenson and Planning Consultant Tara Bamford

Guest Tara Bamford, Planning Consultant:

- **Lot Clearing Amendment:** Tara Bamford shared the following text to be added to Section 509.2: *“Land cleared for development must be restored to a safe and slightly condition, including, but not limited to removal of vegetative debris, within 6 months or within 6 months of the completion of construction, whichever is later.”* Tara Bamford noted MLD legal counsel Christine Fillmore helped create the wording of the section. After Board discussion about the wording, they agreed to change the beginning of the statement to *“When land is cleared for development,”*. Mike Bonanno made a motion to approve the proposed amendment with the wording change. Mike Bukowski seconded and the motion passed.
- **Cell Tower Amendment:** Tara Bamford shared proposed changes concerning telecommunications facilities, including additions to Section 302.1 Special Exceptions, Section 306.4 Height Restrictions, and to the Definitions section, along with a draft of a new article to be named Article 9, and a note to renumber subsequent articles accordingly after the changes. The Board agreed to review all of the information for discussion at the November meeting.
- **Legal Changes:** Tara Bamford shared information about NH HB 1021, a new law which requires MLD to allow religious use on MLD lots. She said the Board could choose to change the zoning ordinance to reflect the new law or they could just keep it in mind for future reference. The Board agree to consider their choices and discuss the topic at their next meeting.
- **Suggested Zoning Amendments:** ZO Lantz said she has a list of suggested changes to the zoning ordinance based on questions she has and questions she’s been asked by residents. After discussion, Mike Bonanno made a motion that ***ZO Lantz will send her suggestions to Tara Bamford for her input whether they could become future amendments to the zoning ordinance;*** Mike Roberts seconded and the motion passed.

Approval of Minutes:

Sept. 15, 2022: Mike Roberts moved to approve; Mike Bukowski seconded and motion passed.

Oct. 6, 2022: Mike Bukowski moved to approve; Don Dubrule seconded and motion passed.

Approval of Agenda: Mike Bukowski moved to approve the agenda; Don Dubrule seconded and the motion passed.

Zoning Permit Applications:

- **Saymon – Screen and Roof Deck:** The Board previously reviewed the application packet and noted it needed a plot plan. ZO Lantz has since talked with the homeowner and put a plot plan in the file. After review, Mike Roberts moved to accept the application as complete; Mike Bukowski seconded and the motion passed. Mike Bukowski moved to approve the application; Mike Bonanno seconded and the motion passed. ***Kristi Garofalo will email the signed permit documents to the Town of Haverhill.***
- **Mora – Shed:** The Board reviewed the application packet and noted there was no Haverhill permit application and no measurements were given in the file. ***ZO Lantz said she will contact the homeowner to get the***

information. Mike Bonanno asked for a motion to accept the packet as complete. No motion was made. The Board agreed not to take any action and put the application on the November agenda for re-consideration.

Review of Zoning Permits Report: ZO Lantz said she did not create a written report due to other issues that required her time, but noted she has visited all work sites and progress has been made on all permits. She noted her November goal is to reach out to all permit holders individually to touch bases on the status of their project.

Review of Incidents Report: ZO Lantz said she did not create a written report due to other issues. She received one new Observation Incident Report for a lot on Carr Road where someone built a makeshift lean-to. She said the owner completed an application for a Haverhill building permit, but no driveway permit or MLD permit application have been filed. After discussion, the Board directed **ZO Lantz to send out a Notice of Violation via certified mail.** Randy Berenson asked about the septic system installed on Swiftwater Circle without a permit. Mike Bonanno said he spoke to legal counsel who considered the septic system as a structure that would require a zoning permit. After discussion, the Board directed **ZO Lantz to send out a Notice of Violation to the lot owner via certified letter and to put the incident on the November meeting agenda.**

Old Business:

- **Rules of Procedure:** Don Dubrule said he has 2½ pages of suggestions about the Master Plan development process, but did not feel it was ready to share with the Board yet. He said he will send out the completed suggestions to all the Board members next week. The Board agreed to keep the topic on their agenda and discuss it further at the November meeting.

Comments of the Public: NONE

Comments of the Zoning Officer: ZO Lantz spoke again about the list of items in the zoning ordinance and permit procedures she feels need clarification or simplification as she presented earlier in the meeting. She encouraged the Board members to reach out to her with questions.

Comments of the Board:

- **Livestock/Poultry Prohibition:** Don Dubrule spoke of a zoning permit application to build a chicken coop which is scheduled to be considered at the November meeting. He noted Section 509.9 specifically prohibits poultry and livestock. He said the Board could deny the application and the homeowner could go to the ZBA to appeal. He feels the ZBA should be educated so they know they don't have the authority to okay the keeping of poultry or livestock because it goes directly against the zoning ordinance.
- **Zoning Amendment – Land Clearing:** John Acker spoke about the proposed addition to Section 509.2 discussed earlier in the meeting and said he felt the proposed language was not enough. The Board discussed notice of intent to cut requirements and the fact that the proposed amendment language was created as a joint effort of the MLD planning consultant and legal counsel. They also talked about adding a fine for violation of the ordinance. Section 1003.2 regarding fines was read to the Board and they agreed a copy of that section of the zoning ordinance should be included when Notice of Violations are sent.

Next Meeting Date: Thursday, Nov. 17 at 5:30 pm.

Adjournment: Mike Roberts moved to adjourn; Don Dubrule seconded. Motion passed and the meeting adjourned at 7:36 pm.

Respectfully submitted by,
Kristi Garofalo