

**MOUNTAIN LAKES DISTRICT
PLANNING BOARD MEETING
At the District Office and via Zoom
November 17, 2022
*UNAPPROVED***

Call to Order: Vice Chair Don Dubrule called the meeting to order at 5:30pm.

Roll Call:

- **Board:** Don Dubrule, Mike Roberts and Mike Bukowski were present. Don Dubrule declared a quorum. Zoning Officer Courtney Lantz was also present.
- **Public Present In-Person:** Bob Long, Polly Bonanno, Mike Bonanno and Robert Roudebush
- **Public Present via Zoom:** Mark Johanson, Randy Berenson and Planning Consultant Tara Bamford

Don Dubrule suggested the Board consider permit applications and consult with Tara Bamford before continuing with the rest of the Board's business and all Board members present agreed.

Zoning Permit Applications:

- **Mora – Shed:** The Board members agreed they reviewed the application packet. ZO Lantz said no measurements were given in the file yet and there was no Haverhill permit application. The Board agreed to table the application due to the lack of information.
- **Ostrander – Coop:** Don Dubrule read Sec. 509.9 which does not allow keeping of poultry and noted the Zoning Board of Adjustment cannot change the zoning ordinance or waive its restrictions. The Board discussed notifying the applicant that they cannot appeal the restriction, but Tara Bamford said applicants can always appeal. Mike Bukowski made a motion to deny the application because it violated Sec. 509.9; Mike Roberts seconded and the motion passed. The Board agreed the applicant should be notified to go to the ZBA.

Guest Tara Bamford, Planning Consultant:

- **Lot Clearing and Cell Tower Proposed Amendments:** The Board members agreed they had no changes to the draft of the proposed amendments. Don Dubrule moved to hold a public hearing on both amendments on Dec. 15 at 6:00pm at the District Office. Mike Roberts seconded and the motion passed. ***Tara Bamford will send meeting notice information to Kristi Garofalo for publication.***
- **Suggested Zoning Amendments:** The Board discussed a list of changes to the zoning ordinance suggested by ZO Lantz based on questions she has and questions she's been asked by residents. Tara Bamford said the suggestions were basically policy decisions for the Board to consider; she will send information and notes to ZO Lantz and the Board for them to work on with plans to discuss them after the first of the year. The Board discussed an incident where a septic system was installed on a lot without a Town or MLD permit. Tara Bamford spoke of her conversation with MLD legal counsel where a septic system was considered a structure although she didn't know of any other towns who considered it as a structure. ZO Lantz shared information from NH DES where a septic system could be a structure if noted in the zoning ordinance. Tara Bamford suggested specifically excluding septic systems from the structure definition and the Board agreed to add the suggestion to the proposed changes for review in January.

Approval of Minutes:

Oct. 20, 2022: Mike Bukowski moved to approve; Mike Roberts seconded and motion passed.

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

Review of Zoning Permits Report:

- **Bahl – Deck:** ZO Report: Informed Mr. Bahl he will need another building permit and zoning application since he has decided to build the deck someplace else. Continue to monitor.
- **Williams – New Home:** ZO Report: Siding, roof are done. No garage doors yet. Continue to monitor.
- **R. Fredey – New Home:** ZO Report: Siding not stained; deck not finished. Continue to monitor.
- **Stansfield – Shed:** ZO Report: Shed is up, roof done, siding done, not yet stained. Continue to monitor.
- **Mugford – New Home:** ZO Report: Septic is in, house is done except protective coating on siding. Continue to monitor.
- **S. Fredey – New Home:** ZO Report: House is going up nicely, still need framing and walls in rear, septic is not yet covered. Continue to monitor.
- **Ferwerda – New Home:** ZO Report: No changes to site. Continue to monitor.
- **Edwards – New Home:** ZO Report: Septic system is in, concrete foundation for house is in. Continue to monitor.
- **Jackson – New Home/Garage:** ZO Report: Concrete foundation is in, framing is in progress on the house. Continue to monitor.
- **Lawler – New Home:** ZO Report: House is up, roof is done, siding done, septic not in yet. Continue to monitor.

- **Expired Ferwerda Permit:** ZO Report: Nothing new. The Board discussed location of boundary pin and owner's dispute of violation, then agreed to table until December meeting. Continue to monitor.
- **Koehn – New Home:** ZO Report: Basement is done and covered for winter; talked to Mr. Koehn and will continue in spring. Continue to monitor.
- **Kelley – Porch:** ZO Report: Deck is on, framing is done, walls are up; still needs siding, windows and doors. Continue to monitor.
- **Soto – Gazebo:** ZO Report: Outer framing is being worked on, will continue to monitor.
- **Mickel – New Home:** ZO Report: Basement is enclosed and covered for winter. Has to customize log kit since foundation was already in and will continue in spring. Continue to monitor.
- **Russell – New Home:** ZO Report: No changes to site, will continue to monitor.

Review of Incidents Report:

- **Foldeak/Schmead – Hilltop View – House Fire:** ZO Lantz asked to close out incident since property was sold. Mike Bukowski moved to close incident and remove from tracking; Mike Roberts seconded and the motion passed.
- **Rutherford – Valley Road – Yard Clean:** ZO Lantz asked to close out incident since property has been cleaned up. Mike Bukowski moved to close incident and remove from tracking; Mike Roberts seconded and the motion passed.
- **Li – French Pond Road – Motor Home:** ZO Lantz asked to close out incident since motor home was sold. Don Dubrulle moved to close incident and remove from tracking; Mike Roberts seconded and the motion passed.
- **Grant or Cassidy – Lakeside Drive – Clearing/Cutting:** ZO Lantz asked to close out incident since property was sold. Mike Roberts moved to close incident and remove from tracking; Don Dubrulle seconded and the motion passed.
- **LaPierre – Carr Road –Trash/Vehicles:** ZO Report: Called and left message, waiting on return call and working on Notice of Violation. Continue to monitor.
- **Popa – Swiftwater Circle – Clearing:** ZO Report: still trying to reach landowner. **ZO Lantz will send NHMA info on septic systems to Board members and draft a letter to owner requesting information on project plans.** Continue to monitor.
- **Saymon – Windsor Lane – Work w/o Permit:** ZO Lantz asked to close out incident since work is complete. Don Dubrulle moved to close incident and remove from tracking; Mike Bukowski seconded and the motion passed.
- **Belanger – Lodge Lane – Brush Pile:** ZO Report: No changes to site and forest ranger says brush pile okay. Homeowner said he will get rid of them this winter. Continue to monitor.
- **Trager – Carr Road – Lean-To:** ZO Report: Working on letter to property owner. Continue to monitor.
- **Rucker – French Pond Road – Culvert Work:** ZO Lantz said the homeowner is replacing their existing culvert and asked if they need a permit from MLD. After discussion, the Board agreed **ZO Lantz will contact Haverhill road agent Colton Grant to make sure he is aware of the project** and agreed there was no need for a MLD permit.

New Business:

- **Comments and Resignations:** Polly Bonanno read a statement (see attached Appendix A) and then resigned as an alternate member of the Planning Board. Mike Bonanno resigned from the Board previously and his resignation was accepted by the Commissioners. Don Dubrulle said a new chair has not been elected yet, but would be at the proper time.

Old Business:

- **Rules of Procedure:** Don Dubrulle said the procedures for Master Plan updates and zoning ordinance amendments will be coming soon as they are near completion. He will send them out to Board members when they are completed.

Comments of the Public:

- **Town Auction Signs:** Mike Bonanno said the Town has scheduled a tax auction for Dec. 10 and signs will be put on three MLD properties. **Bob Long said he will talk to the Town about sign applications, fees and removing signs after the auction.**

Comments of the Zoning Officer: ZO Lantz said she will be out of town for Thanksgiving week, but available by email if needed.

Comments of the Board: NONE

Next Meeting Date: Thursday, Dec. 15. Meeting to start at 5:30 pm, public hearing to start at 6:00 pm.

Adjournment: Don Dubrulle moved to adjourn; Mike Roberts seconded. Motion passed and the meeting adjourned at 7:08 pm.

Respectfully submitted by,
Kristi Garofalo

Appendix A
11/17/22 Planning Board Meeting
Meeting Comments by Pauline Bonanno:

I received an email from Mark Johanson in light of what has happened with Michael resigning, asking me if I was going to stay on the Board. I told him that I needed time to think about it and I wanted to resolve in my thoughts so I jotted down thoughts and I'd like to read it.

Tonight, in light of the Planning Board chair's resignation, I would like to clear the air of misinformation that was used to put him and myself in the position of resigning. The accusations ... conflicting and inaccurate info given to the public, conflict of interest, Board not running effectively, Board's lack of preparation, knowledge and consistency, and length of time to resolve some issues ... should pertain to all of the Board, not just the chairperson. All of these accusations supposedly came from items that came before you all. You are given ample time to review, to make sure all the info provided is clear so the packet can be deemed complete, and the resident can proceed on their project. Every time a packet was put before you, there was discussion as to whether or not it followed the Mountain Lakes criteria, the zoning ordinances. Every one of you then voted on whether the project went forward or not. It was the zoning ordinances alone that dictated the outcome. You were not bullied or coerced into your decisions. There were times where residents didn't do their due diligence and their packet could not go forward. There were regulations on how the process worked and I think the Planning Board was fair in trying to make things work for the people who did not give a complete packet. There has been turnover in the Planning Board and getting everyone up to speed takes more than one meeting night a month to learn the zoning rules and regulations and process packets. And there is also training provided from NHMA that gets you up to speed on the latest rules and regulations. You all received the info on where and when it was being provided. I commend you for stepping forward to be a part of the Planning Board. I know for a fact that the Planning Board chair has put in a lot of time every week for a volunteer position. You all are putting in your time. At the last meeting, only two people were prepared to write the new zoning ordinance for a cell tower with planning consultant Tara Bamford. You did not do your part and the Planning Board chair is paying the price. There were no submitted reports to the Planning Board from the zoning officer; yet the Planning Board chair is paying the price.

To Mike Roberts, as the ex-officio of the Planning Board, I don't how you could, in all good faith, sign a letter stating that all of those things that I stated in the beginning, of the reasons in the beginning of my letter. You sat there, refusing to discuss issues every month, voted, and never once said that there was a problem with how the Board chair and Board members proceeded. In your position as an advisor, there were very few times that you spoke up, which said to the populace that you felt the chair and the Board were doing a good job. Apparently, that was not the case.

So, I have decided that ... I am stating that I would like to have this notice included in the minutes of tonight's meeting so that Mountain Lakes residents will take note of it and step up and start thinking about why we have very few people who attend all of the different committees in Mountain Lakes. With all of this being said, I hereby tender my resignation as the Planning Board alternate. I cannot put myself in a volunteer position for the Mountain Lakes community only to eventually, probably, end up in the same as the chairperson. I have already been asked by one commissioner if I was going to stay on the committees I am on. I have decided that this committee I will not stay on. I appreciate all of your hard work and I wish you all the best.