



STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

Docket No. DW 16-834

Complaint by Robert Mykytiuk

EXHIBIT LIST OF LAKES REGION WATER CO., INC.

- TAB 1: *Letter and Summary prepared by Leah Valladares dated November 29, 2016.*
- TAB 2: *Response to Complaint dated October 19, 2016.*
- TAB 3: *Exhibits A to I to Response to Complaint dated October 19, 2016.*
- TAB 4: *Exhibit J, approved Tariff, Lakes Region Water Company, Inc.*
- TAB 5: *Photograph (Rebuttal Exhibit K).*
- TAB 6: *Proposed ADU Amendment to Moultonborough Zoning Ordinance adopted March 16, 2017.*

Justin C. Richardson
NHBA #12148
UPTON & HATFIELD, LLP
159 Middle Street
Portsmouth, NH 03801
(603) 436-7046
jrichardson@uptonhatfield.com

LAKES REGION WATER COMPANY INC.

420 Governor Wentworth Highway, PO Box 389
Moultonborough, NH 03254
Telephone: 603-476-2348, Fax: 603-476-2721
Hours: Monday through Friday, 8:30am to 4:30pm

#PUC 30NDV16A11:04

November 29, 2016

Debra A. Howland
Executive Director and Secretary
Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, N. H. 03301-2429

Re: DW 16-834 Complaint of Robert Mykytiuk against Lakes Region Water Co., Inc.

Dear Executive Director Howland:

Enclosed please find an the original and six copies of the list of witnesses, written summary and a list of exhibits Lakes Region Water Company, Inc. is prepared to present at the hearing on December 14, 2016..

If you, the Staff and/or the Commissioners have any questions or comments, or need additional information, please contact me directly at (603) 476-2348.

Sincerely,



Leah Valladares
Utilities Manager

CC: Service List

Email: Leah@Lakesregionwater.com
Website: www.Lakesregionwater.com

.....

Dear Executive Director Howland:

I write to provide this summary on behalf of Lakes Region Water Co., Inc. ("Lakes Region") in accordance with the Secretarial letter dated November 10, 2016. This summary incorporates by reference Lakes Region's October 19, 2016 Response and Exhibits A to Exhibit I, which are already on file and in the record before the Commission. In addition, Lakes Region recommends that its Tariff, available on the Commission's web site, be reserved as Exhibit J, if needed.

In light of the above, Lakes Region offers the following Summary:

- i) **A list of witnesses they intend to call at the hearing, identifying each witness by name and business and/or home address;**

Leah Valladares, Utilities Manager, Lakes Region Water Company, 420 Governor Wentworth Hwy, PO Box 389, Moultonborough, NH 03254

- ii) **A concise written summary of each witness' position, which should also contain an account of the facts and other relevant topic about which the witness intends to testify;**

Leah Valladares will testify as to the facts and exhibits set forth in Lakes Region's October 19, 2016 Response. In addition, she will testify that:

- Lakes Region inspected the customer's property which is as described in the October 19, 2016 Response and Exhibits. The inspection confirmed that the customer has installed a second residence with separate bedrooms, bathrooms and kitchen facilities that is detached from the main residence with its own access. The main residence is intended to be rented separately. As currently constructed by the customer, the service line to the second residence is branched from the main customer residence. One service line now serves both the main customer residence and the second customer residence.
- Lakes Region informed the customer of the requirement to install a second service line for the second residence which is used as owners' quarters, as the primary residence is rented for vacation and other purposes as noted in the documentation provided by Lakes Region. Upon inspection, Lakes Region was satisfied that the facilities constructed by the customer to serve the second residence did not result in a risk of bypass or cross contamination. Lakes Region advised a second service line should have been installed and an application for service submitted. The customer refused to submit an application for service. As a result, Lakes Region billed the customer a second base charge in order to recover for the cost to serve the second customer residence.
- Lakes Region's approved rates for Paradise Shores include both a fixed charge and consumption charge, consistent with traditional rate design and rate making principles. The fixed portion of the customer bill is intended to recover the fixed costs for construction of wells, storage tanks and mains and other improvements. The fixed charge also provides revenue stability because of high seasonal consumption.

- Lakes Region's approved tariff and rates are based on each separate residence, apartment, business or similar location being a separate customer. Lakes Region applies this requirement uniformly to all customers. This is because the addition of a second residence increases the demand for water on the system. This in turn increases the cost to provide service to customers. Allowing a customer to pay only a single customer charge for two separate residences would result in Lakes Region's other customers subsidizing service to this customer.
 - In order to comply with Lakes Region's service requirements and the Commission's regulations governing water service, the Commission should require that the customer submit an application of service and install a second metered service line in compliance with Lakes Region's Tariff and construction standards.
- iii) **A written summary of the legal issues involved in this case. A written summary need not be submitted, but the Commission is interested in how it may apply or interpret its rules when the rules do not specifically address service issues for separate structures on the same parcel of property. See N.H. Code Admin Rule Puc 200 et seq.**

The legal issues in this case are as follows:

Terms of Service. Lakes Region's approved Tariff is based each separate apartment, residence, condominium unit, or business being charged as a separate service. Lakes Region is obligated to provide service in accordance with the Commission's water service rules and DES regulations which do not allow cross connections between separate customers receiving service. Allowing a second residence, apartment or business to be constructed and treated as a single customer could result in service that violated the Commission's rules, below, and DES back flow and cross connections regulations intended to protect public health.

Rates. Lakes Region's rates are based on each separate customer or residence paying for the cost to receive service. Allowing this customer to pay only a single charge would result in subsidy by Lakes Region's existing customers, contrary to rate making principles which require that rates be just and reasonable and do not result in subsidy between customers. *See e.g. RSA 378:7; Pennichuck East Utilities, Order No. 25,051* (December 11, 2009) ("those customers would not be paying their fair share of the fixed costs that existing ... customers pay and the effect would be a subsidy"). Lakes Region is prohibited by law from providing free or discounted service to customers, which this customer would receive if the second owner's quarters did not pay for a separate service. RSA 378:14 & 17.

Commission Regulations. The Commission's regulations require that each separate apartment or service location be treated as a separate customer. For example:

- Subsection (h) of Puc 606.04 *Valves and Service Connections*, provides that: "Each utility shall require that the customer shall not install any tree or branch connection in the

service pipe.” In this case, the customer has installed a second branch connection in direct violation of Rule 606.04.

- Subsection (j) of Puc 606.04 further provides that each utility “shall require” that all service connections have “an individual shut-off” and that “[n]o tandem services shall be permitted”! The customer has not provided a separate service line with a separate shut-off and has instead constructed a tandem service that is specifically prohibited by rule.
 - The Commission’s rules and its regulation of water utilities are based on each separate residence, apartment or place of consumption being treated as a separate customer. Rule Puc 602.05 defines the term "Customer" in the singular as “any person, firm, corporation, cooperative marketing association, utility or governmental unit or subdivision of a municipality or of the state or nation supplied with water service by a utility.” Water service is defined by Puc 602.18, again in the singular, as “the furnishing of water to a customer in this state by a utility.” In each instance, the Commission’s rules refer to a customer in the singular, not in the plural. *See e.g.* Puc 602.06;¹ Puc 602.12;² Puc 602.14.³ The Commission’s water service rules do not contemplate separate or unrelated customers being served on a single service line.
 - The Commission’s rules require a separate service line for each customer because service to multiple unrelated customers, apartments, businesses or other customers on a single service line would violate DES rules against cross connection and backflow prevention (as well as Puc 604.04). It is contrary to the rules and practice employed by the Commission when approving rates. It is a practice that is prohibited by law and no reason exists to depart from that requirement here.
- iv) **All exhibits each party intends to introduce at the hearing. Exhibits should include copies of all correspondence, sketches, notes, and documents including all relevant correspondence between the parties.**
- Lakes Region’s October 19, 2016 Response.
 - Exhibits A to Exhibit I to Lakes Region’s Response which are already on file and in the record before the Commission.
 - Exhibit J. Lakes Region’s approved Tariff (available on the Commission’s web site), if needed

¹ Puc 602.06 "Customer service pipe" means that section of service pipe from the customer's property line or the curbstop to the customer's place of consumption.

² Puc 602.12 "Service connection" means the point of connection between the customer's service pipe and the utility's service line.

³ Puc 602.14 "Service pipe" means the connection between the utility's main and the customer's place of consumption and includes all of the pipe, fittings and valves necessary to make the connection.

LAKES REGION WATER COMPANY INC.

420 Governor Wentworth Highway, PO Box 389
Moultonborough, NH 03254
Telephone: 603-476-2348, Fax: 603-476-2721

NHPUC 21OCT'16PM12:30

October 19, 2016

Debra Howland – Executive Director
NH Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429

RE: Response to Complaint against Lakes Region Water Company- Robert Mykytiuk

Dear Executive Director Howland,

Lakes Region Water Company is in receipt of your letter dated October 11, 2016 advising of a complaint made by Mr. Robert Mykytiuk with regard to additional fixed base charge to his account. We are disputing this complaint based on the following reasons;

On March 29, 2016 it came to our attention that Mr. Mykytiuk had completed construction on his secondary structure. The building permit advises a "single family" construction (**Exhibit A**) and a second septic system for a 2 bedroom apartment (300 gpd) was designed and installed for this secondary structure. The primary structure's existing septic system was for 2 bedroom home (300 gpd), please see septic approval and septic design's lot loading criteria. (**Exhibit B**)

The secondary structure contains, 1 sink, 2 baths, 2 water closets, 2 lavatories, 1 shower, 1 dishwashing machine and 1 washing machine. (**Plumbing permit-Exhibit C**) and its own septic system initiating a second place of consumption for water service as well as increasing demand on our water supply and O&M costs. A separate meter and service line would have been required; instead Mr. Mykytiuk installed a service line from his primary structure to his secondary structure without consulting with Lakes Region Water Company.

A letter (**Exhibit D**) was sent to Mr. Mykytiuk (certified 04/26/16) requesting an "Application for Service" per PUC rule 1203.01 "Initiation of Basic Utility Service" and our Tariff Terms and Conditions 1. This letter also advised that this new construction (dwelling) was considered separate from the primary structure (dwelling) and would need a separate meter therefor a separate service pipe for his second place of water consumption should have been installed. (PUC 602.14) The letter also was for an inspection of his non-conforming connection to verify he was not in violation of RSA 539:7 Theft of Utility Service (by-pass the main structures meter) and potentially contaminating our water main with back flow. We were satisfied that the connection possessed no by-pass or back flow, but he still was required to complete the "Application of Service" which he has ignored.

October 19, 2016

Page 2

By this letter (received my Mr. Mykytuik on 05/04/16) he was notified that he was required to complete an "Application of Service" that initiates the new water service he should have installed thus giving us the authority to charge him a second base charge. He remains in "Non-Compliance" of the letter as we have NOT received his "Application of Service" violating our Tariff and is subject to disconnection of service.

Lakes Region Water Company felt that a second base charge being assessed to his account was fair and justifiable. We did not pursue installation of a second meter and service line as we did not wish to create a hardship for Mr. Mykytuik. We were satisfied that the connection to the primary structure's meter created neither by-pass nor backflow and was able to handle the flow for his consumption charge. Please see letter dated July 27, 2016 (**Exhibit E**) explaining to Mr. Mykytuik the reason for the second base charge and the letter dated August 3, 2016 responding to Consumer Affairs for the complete timeline. (**Exhibit F**) I have also attached the property tax card (**Exhibit G**) and a photo of the secondary structure (**Exhibit H**).

Lakes Region Water Company began working with Mr. Naylor to resolve this issue; please reference Mr. Naylor's email- Mr. Mykutiuk's Exhibit D agreeing with our decision to charge two base charges. Also note that the exhibits "B" & "C" Mr. Mykytuik have presented to the NH PUC with his complaint are definitions from two different Town ordinances and are not NH State RSA, nor Carroll County Code. The argument presented by Mr. Mykytuik that his second structure is not a dwelling or ADU by state definition may be true due to the lack of "cooking" facilities, however it does not mean he did not create a second place of consumption for water services to his detached secondary structure. The word "dwelling" being used and its meaning appears to be in question. Also enclosed is a copy of his primary structure (dwelling) being rentable as a 3-4 bedroom home with reviews of owner living on property and show a picture of the separate owner living quarters (secondary structure-dwelling?). (**Exhibit I**)

Mr. Mykutiuk has not made any formal requests to us and nor we have continually threatened to turn his water off for non-payment. There was one letter requesting an inspection and a service application to be filled out and one letter explaining the second charge with a reminder of our Tariff's terms and conditions. We have continued to cooperate and work with NH PUC Consumer Affairs, Ms. Noonan and State Rep. Karel Crawford. We adamantly dispute his complaint and accusations.

There are other customers within our franchise area that have installed a second meter and service line to their secondary place of consumption. Lakes Region Water Company will pursue requiring Mr. Mykytuik to do the same for his second place of consumption in the near future.

Sincerely,



Leah Valladares
Utilities Manager

cc: Thomas Mason
Water Division
Amanda Noonan
Robert Mykytiuk

TOWN OF MOULTONBOROUGH

Application for Building Permit

P.O. Box 139, Moultonborough, NH 03254

Tel. 603-476-2347

Map 99 Lot 36Date: 11/3/14

The undersigned hereby applies for permission to make certain building improvements as described below. (Plans to be submitted if required by Building Inspector.) All construction to be completed in accordance with the Town Ordinances and State of New Hampshire Regulations and IBC Code. Work depicted on this application complies with requirements imposed by Building Inspection Department.

CONSTRUCTION				Street: <u>17 Mayflower Lane</u>	
OCCUPANCY		ROOFING		Lot Size: Ft. Frontage _____ Ft. Depth _____ Total Area _____	
Single Family	<input checked="" type="checkbox"/>	Combustible	<input checked="" type="checkbox"/>	Owner: <u>Robert Mykytruk</u>	
Multi Family	<input type="checkbox"/>	Non-Combustible	<input type="checkbox"/>	Water Supply: Public <input type="checkbox"/> Private <input type="checkbox"/>	
Apartment No. Fam.	<input type="checkbox"/>			Electric Wiring: Underground <input type="checkbox"/> Overhead <input checked="" type="checkbox"/>	
Store	<input type="checkbox"/>	FLOORS		Sewage Displ: Public <input type="checkbox"/> Septic <input checked="" type="checkbox"/> Tank <input type="checkbox"/> Permit No. _____ Date <u>10-27-14</u>	
Offices	<input type="checkbox"/>			Construction to be started: <u>11/4/14</u>	
Warehouse	<input type="checkbox"/>	Concrete	<input checked="" type="checkbox"/>	Estimated Cost \$ <u>100,000</u> Fee Paid \$ <u>519-</u>	
Comm. Garage	<input type="checkbox"/>	Wood	<input checked="" type="checkbox"/>	Plot Lot and Building Improvements, showing width of front, side and rear yards. Mark N	
Res. Garage	<input type="checkbox"/>	Carpet	<input type="checkbox"/>	indicating North. Show distances from all lot lines.	
No. Cars Det. <input type="checkbox"/> Alt. <input type="checkbox"/>		HEATING			
Gas Station	<input type="checkbox"/>	Hot Air Furnace <input checked="" type="checkbox"/>			
Additions-Alterations	<input type="checkbox"/>	Hot Water Furnace <input type="checkbox"/>			
FOUNDATION		Fireplace <input type="checkbox"/>			
Concrete	<input checked="" type="checkbox"/>	Woodstove <input type="checkbox"/>			
Concrete Block	<input type="checkbox"/>	Build Dimensions <u>45 x 35</u>			
Brick or Stone	<input type="checkbox"/>	Height <u>32'</u>			
Piers	<input type="checkbox"/>	No. of Stories <u>2</u>			
EXTERIOR WALLS		No. Parking Spaces <u>2</u>			
Masonry Veneer	<input type="checkbox"/>	Sprinkler <input type="checkbox"/>			
Wood Frame	<input checked="" type="checkbox"/>	LIGHTING			
Solid Masonary	<input type="checkbox"/>	Electric Wiring <input checked="" type="checkbox"/>			
Conc. Or Cinder Blk.	<input type="checkbox"/>	Service Distribution <input type="checkbox"/>			
INTERIOR WALLS		NO. OF BEDROOMS		<p>PERMIT VOID 6 MONTHS FROM DATE ISSUED.</p> <p>Describe Construction or Alteration Proposed.</p> <p><u>35x45 GARAGE w/ Bunkhouse Above on 2nd floor</u></p>	
	B 1 2 3	Bsmt.	Brd		
Combustible	<input type="checkbox"/>	<input type="checkbox"/>	1st		
Non-Comb't.	<input type="checkbox"/>	<input type="checkbox"/>	2nd <input checked="" type="checkbox"/>		
KITCHEN BUILT-INS		PLUMBING			
Fan	<input type="checkbox"/>	4 Pc. Bathroom			
Fan & Hood	<input type="checkbox"/>	3 Pc. Bathroom <u>1</u>			
Slide-in Range	<input checked="" type="checkbox"/>	3 Pc. Shower Room <u>1</u>			
Countertop Range	<input checked="" type="checkbox"/>	2 Pc. Toilet			
Wall Oven	<input type="checkbox"/>	Toilet Only			
Dishwasher	<input type="checkbox"/>	Lavatory			
Disposal	<input type="checkbox"/>	Other:			
Subdivision Owner (if any): <u>DALMORA</u>					
Signature of Owner or Applicant		Address		Phone	
<u>Robert Mykytruk</u>		<u>17 Mayflower Lane</u>		<u>603 986 8836</u>	
Builder		Address of Builder		Phone	
<u>[Signature]</u>					
Is this property located in a Floodplain Zone? <u>NO</u>					
Is construction occurring in a wetland area? <u>NO</u>					
APPLICATION: REJECTED <input type="checkbox"/> APPROVED <input checked="" type="checkbox"/> PERMIT NO. <u>7092</u>				Construction not authorized until Permit is issued.	
ISSUED TO: <u>Mykytruk</u>					
DATE: <u>11-4-14</u>					
Code Enforcement Officer <u>[Signature]</u>					
Certificate of Occupancy required _____					



The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner

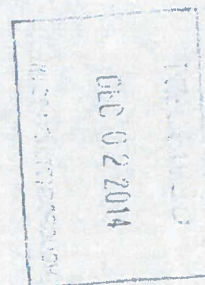


**APPROVAL FOR OPERATION
OF INDIVIDUAL SEWAGE DISPOSAL SYSTEM (ISDS)**

AS AUTHORIZED BY THE NH DEPARTMENT OF ENVIRONMENTAL SERVICES, WATER DIVISION PURSUANT TO RSA 485-A, WATER POLLUTION AND WASTE DISPOSAL AND ENV-WQ 1000, SUBDIVISION AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM DESIGN RULES.

DATE OF INSPECTION: 11, 14, 14
DATE OF OPERATIONAL APPROVAL: 11, 14, 14

APPROVAL NUMBER: CA2014120351 **A**



I. PROPERTY INFORMATION

Address: 17 MAYFLOWER LANE
MOULTONBOROUGH NH 03254
Subdivision Approval No.: PRE 67
Subdivision Name: BELMORAL
County: CARROLL
Tax Map/Lot No.: 99/36
Registry Book/Page No.: 3114/175
Probate Docket No.:

III. APPLICANT INFORMATION

Name: DAVID A CLUFF
Address: PO BOX 7223 GONIC STA
ROCHESTER NH 03639-7223

IV. DESIGNER INFORMATION

Name: DAVID A CLUFF
Address: PO BOX 7223 GONIC STA
ROCHESTER NH 03639-7223
Permit No.: 00535

II. OWNER INFORMATION

Name: ROBERT MYKYTIUK
Address: PO BOX 842
MOULTONBOROUGH NH 03254

V. INSTALLER INFORMATION

Name: WILLIAM (TREY) P WILSON III
Address: PO BOX 512
CENTER HARBOR NH 03226-0512
Permit No.: 01825

VI. SPECIFIC TERMS AND CONDITIONS: Applicable to this Approval for Operation

- A. TYPE OF SYSTEM:** IN-GROUND
- B. NO. OF BEDROOMS:** 2
- C. APPROVED FLOW:** 300 GPD
- D. OTHER CONDITIONS AND WAIVERS:**
NONE.

Brenda J. Hayward
Subsurface Systems Bureau

DES Web Site: www.dcs.nh.gov
P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095
Telephone: (603) 271-3503 Fax: (603) 271-6683 TDD Access: Relay NH 1-800-735-2964

TOWN'S COPY

APPROVAL FOR OPERATION

Page 2

VI. GENERAL TERMS AND CONDITIONS: Applicable to all Approvals for Operation

- A. This Approval for Operation is for the ISDS as identified on Page 1 of this Approval.
- B. By exercising any rights under this approval, the parties have agreed to all terms and conditions.
- C. No liability is incurred by the State of New Hampshire by reason of any approval of any Approval for Operation. Approval by the Department of Environmental Services of sewage and waste disposal systems is based on plans and specifications supplied by the Applicant.
- D. The system must be constructed in strict accordance with the approved plans and specifications.
- E. This Approval for Operation does not supersede any equivalent or more stringent local ordinances or regulations. State standards are minimal and must be met statewide.

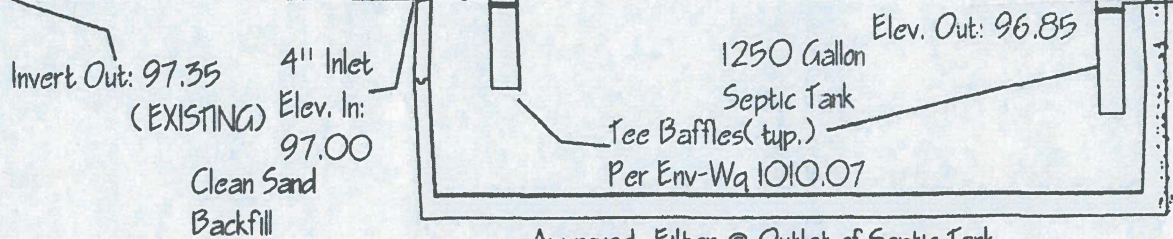
☒ **AMENDED:**

Amended due to:

GARAGE & TANK RELOCATION

WORK NUMBER: 201404403
APPROVAL NUMBER: CA2014120351
RECEIVED DATE: October 24, 2014
TYPE OF SYSTEM: IN-GROUND
NUMBER OF BEDROOMS: 2

245



Approved Filter @ Outlet of Septic Tank
All Septic Lines At Tank Clamped.
Provide Covers To Grade At Septic Tank

Tank Backfill Material Shall Meet Requirements of
Env-Ws 1010.04

Pipe to Tank Connections shall meet Env-Wq 1010.08
Tank to be Sealed & Watertight

DESIGN INTENT

BED BOTTOM @ 96.00
NO LOWER THAN 24" BELOW
ORIGINAL GRADE ON HIGH SIDE.

DESIGN CRITERIA

2-BEDROOM APT. @ 300 GPD @ 5 MIN PERC. = 90 LF
DESIGN 3-30' ADVANCED ENVIROS = 90 LF
1250 GALLON SEPTIC TANK
8" K.O. DISTRIBUTION BOX
FOUNDATION DRAINS: NO
REPLACEMENT AREA: SAME AS ORIGINAL
NO GARBAGE DISPOSAL OR WATER SOFTENER

1.0" LOADING

2-BED ROOM HOUSE EXISTING = 300 GPD (EXISTING) +
300 GPD (PROPOSED) = 600 GPD
GROUP 1 - A - SLOPES
2000 / 1.2 = 1667 GPD ALLOWABLE / ACRE
1667 X .438 AC = 0.25 AC (WET) = 688 GPD

BELMORAL COMMUNITY WATER SYSTEM

NO CEMETARIES WITHIN 100' OF SYSTEM.

WAIVERS REQUESTED: NONE

NOTE:

Wetlands delineated in accordance with
RSA 482-A and Env-Wt 100 et seq

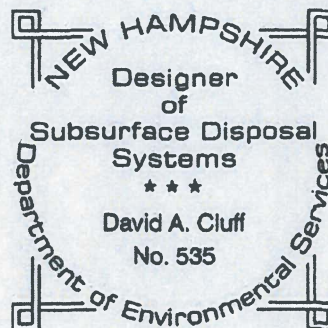
CA 2014 120357

REVIEWED AND APPROVED
IN ACCORDANCE WITH THE
REQUIREMENTS OF THE
NH DEPT OF ENVIRONMENTAL SERVICES
WATER DIVISION

Signed _____

Date _____

OCT 27 2014



OCT 24 2014

OWER LANE

TAX MAP #099 LOT #036

LTONBO ROUGH

SUBSURFACE SEWERAGE DISPOSAL PLAN

TOWN: MOULTONBOUROUGH

OWNER: ROBERT MYKYTIUK

PO BOX 842

MOULTONBO ROUGH, N.H. 03254

Approved Health Dept.

Town of Moultonborough

Date 10-23-14

Signature _____

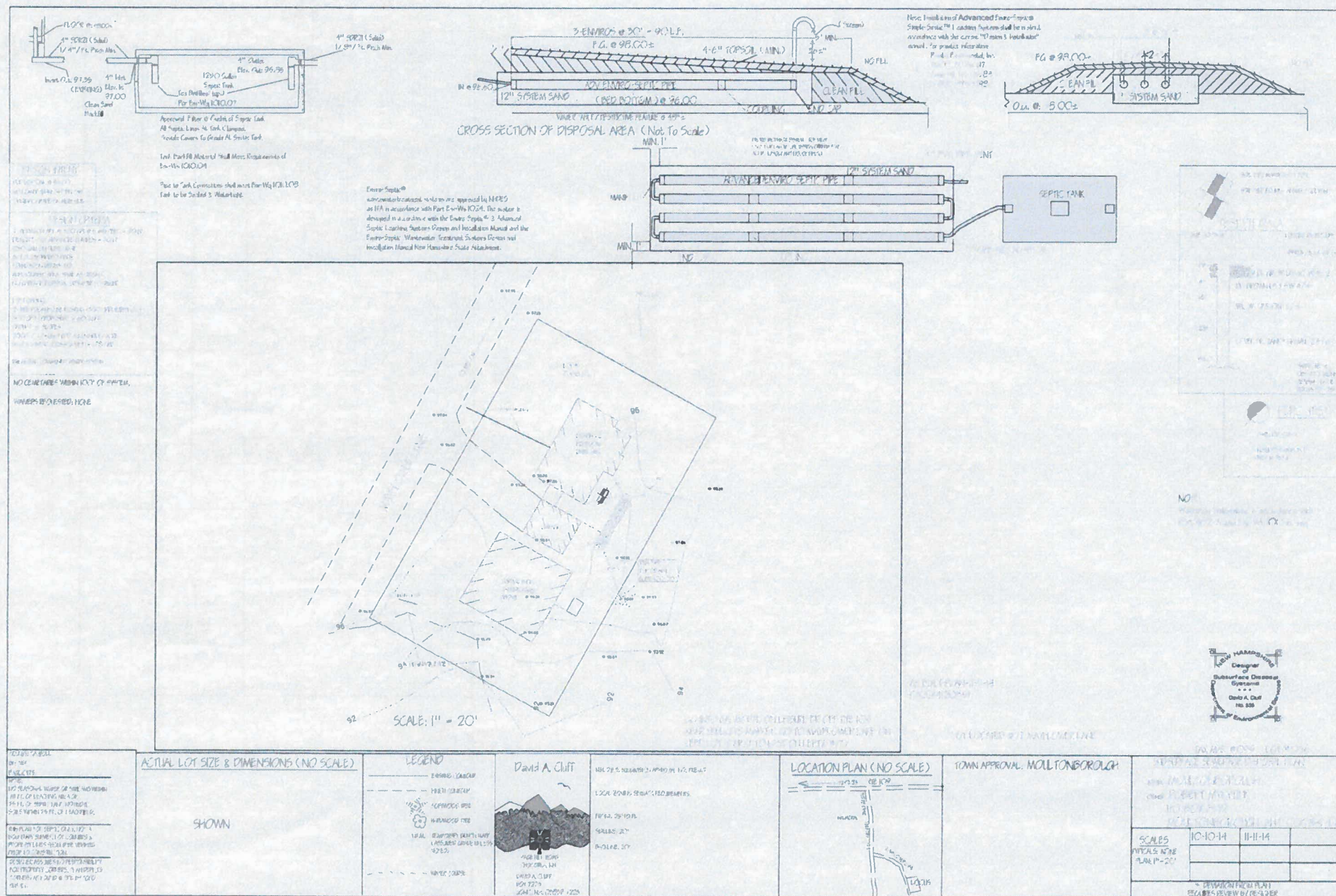
No ketchum allowed
without P.B. approvals

SCALES TYPICALS: NONE PLAN: 1" = 20'	10-10-14		

* DEVIATION FROM PLAN
REQUIRES REVIEW BY DESIGNER

4 of 5

5.5



Town of Moultonborough Plumbing Permit

Date 5-29-15Permit No. 7090Bldg. Permit 7092License No. 2923MLocation 17 MAY FLOWER LANEMap 99 Lot 36Owner Robert M. KytakKind of Bldg. garage

Used As _____

To Be Completed About _____

Estimated Cost \$ 56,000Old/New Bldg. No. new

Type	Number	Fee
Stacks	<u>1</u>	
Sinks	<u>1</u>	
Baths	<u>2</u>	
Water Closet	<u>2</u>	
Lavatory	<u>2</u>	
Tank and Heater		
Laundry Tray	<u>1</u>	
Floor Drains	<u>0</u>	
Sewage Ejector	<u>0</u>	
Sump	<u>0</u>	
Shower	<u>1</u>	
Urinal	<u>0</u>	
Dishwashing Machine	<u>1</u>	
Humidifier	<u>0</u>	
Garbage Grinder	<u>0</u>	
Washing Machine	<u>1</u>	
Miscellaneous Fixtures	<u>0</u>	

Total Fee \$50.00

*Paid Cash
Budgetary
5/29/15*

Contractor's Name and Address Thomas GaudreauCity MeredithState NHPhone # 998-4922

Contact Inspector when ready for inspection at 603-476-2347.

APPLICANT CERTIFIES THAT ALL INFORMATION GIVEN IS CORRECT AND THAT ALL PERTINENT CITY ORDINANCES WILL BE COMPLIED WITH IN PERFORMING THE WORK FOR WHICH THIS PERMIT IS ISSUED

Signature of contractor or Authorized Rep.

Signature of Permit Clerk

LAKES REGION WATER COMPANY INC.

420 Governor Wentworth Highway, PO Box 389
Moultonborough, NH 03254
Telephone: 603-476-2348, Fax: 603-476-2721

April 26, 2016

Robert Mykytiuk
PO Box 842
Moultonborough, NH 03254

Re: 17 Mayflower Lane - INSPECTION of SERVICE CONNECTION

Dear Mr. Mykytiuk,

It has come to our attention that you have built a second single family dwelling on your property Map 99/Lot 36 per your "Application for Building Permit" dated 11/03/14. All new dwellings are considered separate units and are required to complete an "Application for Service" as well as a new meter installed per our Tariff. An inspection of the water service connection must be done by Lakes Region Water in order to insure that you as the property owner are in compliance with NH RSA 539:7 as well as the Terms and Conditions of the Tariff.

Enclosed is an "Application for Service" for your convenience and please contact the office to set up an appointment with the Field Supervisor Justin Benes and myself for the **inspection within 10 days of this letter to avoid disconnection of service.**

Sincerely,

Leah Valladares
Utility Manager

CC: Tom Mason

Email: Lrwater@Lakesregionwater.com
Website: www.Lakesregionwater.com

.....

LAKES REGION WATER COMPANY INC.

420 Governor Wentworth Highway, PO Box 389
Moultonborough, NH 03254
Telephone: 603-476-2348, Fax: 603-476-2721

July 27, 2016

Robert Mykytiuk
PO Box 842
Moultonborough, NH 03254

Re: 17 Mayflower Lane - Water Bill dated 06/30/16

Dear Mr. Mykytiuk,

In regards to the note on your water bill dated 06/30/16, you were charged two (2) base charges not meter charges. The base charge is applied to each service (unit) on the water systems and the metered charge is per 100 cubic feet of water used.

Lakes Region Water Company views your addition of the garage with the bunkhouse above as a second service (unit). This bunkhouse has its own "individual" sewage disposal system that was approved (CA2014120351) by NHDES on 11/14/14 and is equipped with 2 baths, 1 sink, 1 shower, dishwasher and washing machine.

Lakes Region Water Company is within its rights to require you to supply a separate service line and meter for this additional service (unit). However, upon inspection of the connection on May 9th we were satisfied that there was no by-pass of the meter in the 1st service (unit) and no health hazard associated with the connection.

You are still responsible for a second base charge for your new service (unit) and if the bill becomes past due you will run the risk of disconnection of service, thus affecting both services (units) due to the use of one service line.

Sincerely,

Leah Valladares
Utility Manager

CC: Tom Mason

Email: leah@Lakesregionwater.com
Website: www.Lakesregionwater.com

.....

LAKES REGION WATER COMPANY INC.

420 Governor Wentworth Highway, PO Box 389
Moultonborough, NH 03254
Telephone: 603-476-2348, Fax: 603-476-2721

August 3, 2016

NH PUC- Consumer Affairs
21 S. Fruit St, Suite 10
Concord, NH 03301

RE: Robert Mykytiuk vs. Lakes Region Water Company

Dear Ms. Hadley,

Last summer Mr. Mason noticed new construction in progress at 17 Mayflower Dr. owned by Mr. Mykytiuk. Mr. Mason spoke with Mr. Mykytiuk and advised that a new service connection would be needed if he intended to supply water to new building.

On March 29, 2016 it came to the Company's attention that Mr. Mykytiuk completed his construction. The Company was not notified to inspect the water service connection.

On April 26, 2016 a letter was set via certified mail to Mr. Mykytiuk requesting an "Inspection of Service Connection" and an "Application for Service" for him to fill out. The letter advised an appointment needed to be made within 10 days of the letter to avoid disconnection of service.

On May 09, 2016 the Field Supervisor Justin Benes and I arrived at 17 Mayflower to place a "Notice of Disconnection" and disconnect the service due to no response from Mr. Mykytiuk. Mr. Mykytiuk then appeared and I advised that we were there to disconnect service unless access was granted to inspect the service connection to the new unit. We (the Company) were concerned with potential cross contamination and a bypass. I also informed him that his new building was considered a separate service and the Company could require him to install a separate service line. Mr. Mykytiuk granted us access to review the connection and at that time both the Field Supervisor and myself was satisfied that the connection presented no cross contamination or bypass issues.

On June 30, 2016 Mr. Mykytiuk was billed for two (2) fixed base charges for the two (2) services on his property in addition to the usage. His total bill was \$356.31 and we received a payment on July 27, 2016 in the amount of \$221.69 leaving him a balance of \$135.26. On his bill he wrote a note believing that the 2nd base rate was done in error on the Company's part.

On July 27, 2016 I sent Mr. Mykytiuk a letter clarifying that the bill was correct and why the Company felt that two (2) fixed base charges were applicable and he was responsible for the balance of the account.

Page 2

Director Mark Naylor has a copy of all supporting documents that led the Company to believe that 17 Mayflower should have two (2) services, including a separate service line with its own meter to the new structure. Upon inspection of the connection we were satisfied that there was no bypass and all water being used was able to be metered. We did not require Mr. Mykytuik to install a second service line; instead we billed him the 2nd base charge for service provided to the second unit.

For further information or question please do not hesitate to call me at (603) 476-2348.

Sincerely,

Leah Valladares
Utilities Manager

Cc : via email-
Mark Naylor- PUC Director Gas and Water Division
Tom Mason – President Lakes Region Water Company, Inc

Property Location: 17 MAYFLOWER LANE

MAP ID: 099/ 1 036/000 000/000

Bldg Name:

State Use: 1010

Vision ID: 4186

Account # M04890

Bldg #: 1 of 1

Sec #: 1 of 1

Card 1 of 1

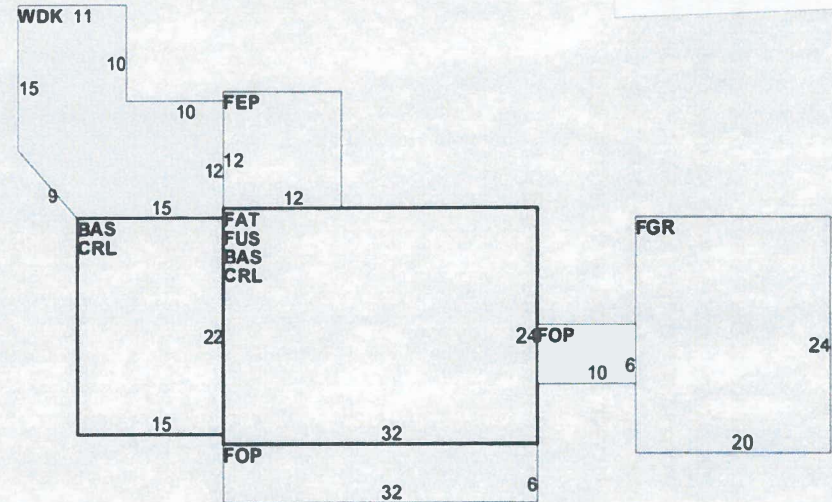
Print Date: 05/13/2016 12:20

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	03		Colonial				
Model	01		Residential				
Grade	04		Average +10				
Stories	2		2 Stories				
Occupancy	1						
Exterior Wall 1	25		Vinyl Siding				
Exterior Wall 2							
Roof Structure	03		Gable/Hip				
Roof Cover	03		Asph/F Gls/Cmp				
Interior Wall 1	05		Drywall/Sheet				
Interior Wall 2							
Interior Flr 1	12		Hardwood				
Interior Flr 2	14		Carpet				
Heat Fuel	02		Oil				
Heat Type	05		Hot Water				
AC Type	01		None				
Total Bedrooms	04		4 Bedrooms				
Total Bthrms	2						
Total Half Baths	0						
Total Xtra Fixtrs							
Total Rooms	7		7 Rooms				
Bath Style	02		Average				
Kitchen Style	02		Average				
				MIXED USE			
				Code	Description	Percentage	
				1010	SINGLE FAM MDL-01	100	
				COST/MARKET VALUATION			
				Adj. Base Rate:		71.58	
						169,852	
				Net Other Adj:		11,000.00	
				Replace Cost		180,852	
				AYB		2003	
				EYB		2005	
				Dep Code		A	
				Remodel Rating			
				Year Remodeled			
				Dep %		10	
				Functional ObsInc		0	
				External ObsInc		0	
				Cost Trend Factor		1	
				Condition			
				% Complete			
				Overall % Cond		90	
				Apprais Val		162,800	
				Dep % Ovr		0	
				Dep Ovr Comment			
				Misc Imp Ovr		0	
				Misc Imp Ovr Comment			
				Cost to Cure Ovr		0	
				Cost to Cure Ovr Comment			

OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)												
Code	Description	Sub	Sub Descript	L/B	Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Apr Value
FGR8	GAR W/ PLUM			L	1,584	55.00	2016		0		90	78,400
WDK	WOOD DECK			L	352	16.00	2016		0		90	5,100
</												

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value
BAS	First Floor	1,098	1,098	1,098		78,592
CRL	Crawl Space	0	1,098	0		0
FAT	Attic, Finished	154	768	154		11,023
FEP	Porch, Enclosed, Finished	0	144	101		7,229
FGR	Garage, Framed	0	480	168		12,025
FOP	Porch, Open	0	252	50		3,579
FUS	Upper Story, Finished	768	768	768		54,971
WDK	Deck, Wood	0	341	34		2,434
Ttl. Gross Liv/Lease Area:		2,020	4,949	2,373		180,722

Exhibit G



Property Location: 17 MAYFLOWER LANE

MAP ID: 099/ / 036/000 00

Bldg Name:

State Use: 10

Vision ID: 4186

Account # M04890

Bldg #: 1 of 1

Sec #: 1 of

1 Card 1 of 1

Print Date: 09/02/2015 09:20

CURRENT OWNER		TOPO.	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT				1612 OULTONBOROUGH, N VISION									
MYKYTIUK ROBERT A		4 Rolling	5 Well	3 Unpaved	3 Rural	Description	Code	Appraised Value	Assessed Value										
PO BOX 842			6 Septic			RESIDNTL	1010	161,800	161,800										
MOULTONBOROUGH, NH 03254						RES LAND	1010	60,500	60,500										
Additional Owners:						RESIDNTL	1010	10,800	10,800										
SUPPLEMENTAL DATA																			
Other ID: 082/ 143/ 000/ 000/																			
OLD MBLU 082/ 143/ 000/ 000/																			
BAY SEWER																			
GIS ID: 099036000		ASSOC PID#																	
RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	q/u	v/i	SALE PRICE	V.C.	PREVIOUS ASSESSMENTS (HISTORY)											
MYKYTIUK ROBERT A		2439/ 877	07/28/2005	U	V	0	1A	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value						
MYKYTIUK ROBERT A & KAREN L		2134/ 776	04/10/2003	U	V	54,900	1P	2015	1010	161,800	2014	1010	137,300						
MICHAELS,STEVE & JOAN		000000/0000	01/01/1900	U	V	0	00	2015	1010	60,500	2014	1010	62,800						
								2015	1010	10,800	2014	1010	7,000						
								Total:		233,100	Total:		207,100						
								Total:			Total:		212,800						
EXEMPTIONS				OTHER ASSESSMENTS				This signature acknowledges a visit by a Data Collector or Assessor											
Year	Type	Description	Amount	Code	Description	Number	Amount	Comm. Int.											
Total:																			
ASSESSING NEIGHBORHOOD																			
NBHD/ SUB		NBHD NAME		STREET INDEX NAME		TRACING		BATCH											
BM1/A																			
NOTES																			
DOUBLE LOT																			
10/27/14 DES APR 2 BDRM SEPTIC																			
UC CHK NEW FGR W/ BNKHS 2016																			
APPRAISED VALUE SUMMARY																			
Appraised Bldg. Value (Card)										161,800									
Appraised XF (B) Value (Bldg)										0									
Appraised OB (L) Value (Bldg)										10,800									
Appraised Land Value (Bldg)										60,500									
Special Land Value										0									
Total Appraised Parcel Value										233,100									
Valuation Method:										C									
Exemptions										0									
Adjustment:										0									
Net Total Appraised Parcel Value										233,100									
BUILDING PERMIT RECORD																			
Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments	Date	Type	IS	ID	Cd.	Purpose/Result					
7092	11/04/2014	BP		100,000	01/22/2015	5		35X45 GARAGE W/BUN	01/22/2015			JJ	12	Bldg Permit Insp					
4044	07/17/2003	RS	Residential	168,000	03/10/2004	100		MODULAR HOME	08/09/2013			RK	16	Field Review					
									12/07/2007			PM	QC	Quality Control					
									08/16/2004			DG	02	Measur+2Visit					
									04/01/2004			MH	10	Sales Review					
LAND LINE VALUATION SECTION																			
B #	Use Code	Use Description	Zone	Frontage	Depth	Units	Unit Price	I. Factor	S A	Acre Disc	C. Factor	ST. Idx	S.I. Adj.	Notes- Adj	Rec Y/N	CU Cond	Special Pricing	Adj. Unit Price	Land Value
1	1010	SINGLE FAM MDL-01	P			19,079 SF	2.44	1.0000	5	1.0000	1.00	BM1	1.30		N	0.000		3.17	60,500
Total Card Land Units:						0.44 AC	Parcel Total Land Area: 0.44 AC						Total Land Value: 60,500						

Exhibit H



TAKE THE **X1** CHALLENGEGet a
great offerSave when
you bundle

xfinity.

Try X1
for 30
days
with our
back guarantee**Exhibit I**

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Help ▾

List Your Property

Moultonborough, NH, USA

Arrival

Depart

☐ I don't have dates yet

Guests

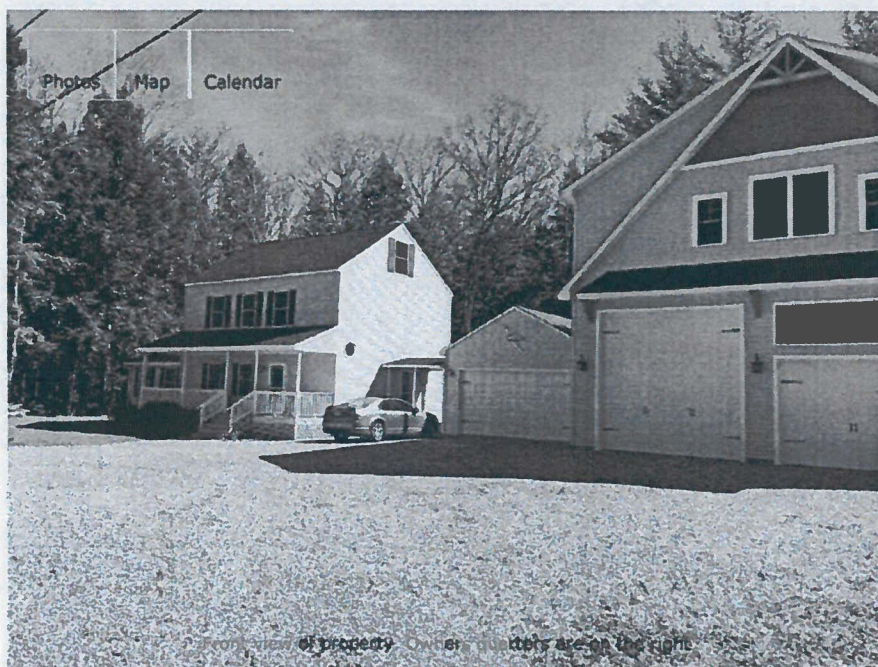


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Like 0

Large Family Friendly Balmoral Home with 2 Car Garage Close to Beach

Avg. Nightly **\$300**

⚠ Enter dates to see accurate pricing

Arrival

Departure

Guests (required)

**Minimum stay 2-7 nights**

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website, your booking is backed by our
Book with Confidence Guarantee
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Overview

Reviews

Rates

Calendar

Location

Owner Info

Reviews

★★★★★ 5

Sleeps

12

Bedrooms

4

Bathrooms

2.5

Property type

House

Minimum stay:

2-7 nights

Internet:

Yes

Pets considered:

No

Wheel chair accessible:

N/A

Owner

Feedback

Property description

First time offered, clean and comfortable large 3-4 bedroom, 2.5 bath, 2 car garage Colonial style home with Farmers porch in the Balmoral association of Moultonborough. 1/3 mi to the sandy beach and boat launch. This home offers a fully stocked, large well appointed kitchen and dining area which looks out to the sunroom. The home offers two living rooms, one of which can double as a bedroom with its queen pullout bed, and a sliding barn door to ensure privacy from the rest of the home. This living room/bedroom also has a sliding door to the large backyard deck. On the second floor is the Master Bedroom -bathroom with King Bed, Guest Room with Queen Bed, second floor full hall bath. The large landing area on the second floor serves as a reading area with a queen futon that can serve as an overflow sleeping area as well. The large third floor bedroom has a Queen and two twins. TV's are located in both living rooms, sunroom, master bedroom and third floor bedroom. The backyard has a large deck, gas grill, fire pit, and enclosed outside shower. The home is in an excellent location to enjoy the many attractions and adventures that the lakes region has to offer which include, but not limited to: Golf, mini golf, swimming, Kayaking, hiking, horseback riding, shopping, Antiquing, sight seeing, restaurants/sport bars, coffee shops....and more.



Member since: 2016

Speaks: English

[Send email](#)

Response time **Within an hour**

Response rate **100%**

Calendar last updated **09/20/2016**

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Ensure you're prepared in case of accidental damage.

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Property Type

House

2800 sq. ft.

Accommodation Type

Vacation Rental

Meals

Guests Provide Their Own Meals

Suitability

Long-Term Renters Welcome

Children Welcome
Non Smoking Only

Pets Not Allowed

Minimum Age Limit For Renters



advertisement

[Feedback](#)

Bedrooms: 4 Bedrooms, Sleeps 12, Beds for 10-12

Bedroom 2: 1 queen

2nd floor bedroom

Bedroom 4: 1 queen, 2 twin/ single

Large 3rd floor bedroom

Bedroom 5: 1 sleep sofa /futon

Queen futon 2nd floor landing/reading area

Bedroom 1: 1 king

2nd floor Master Bedroom with bathroom

Bedroom 3: 1 queen

One of two living rooms with privacy door, slider to deck.

2bdm
Septic
300gals Per Day
Main House

Bathrooms: 2 Bathrooms, 1 Half Bathroom

Bathroom 1: toilet, shower

Bathroom 3: toilet

Bathroom 4: shower, outdoor shower

Bathroom 2: toilet, combination tub/shower

Entertainment

Books

Stereo

Video Library

Satellite / Cable

Television

Theme

Adventure

Away From It All

Family

Attractions

Churches

Festivals

Library

Cinemas

Health/Beauty Spa

Marina

Restaurants

Local Services & Businesses

ATM/Bank

Groceries

Leisure Activities

Antiquing

Miniature Golf

Scenic Drives

Bird Watching

Outlet Shopping

Shopping

Boating

Paddle Boating

Sight Seeing

Horseback Riding

Photography

Walking

Wildlife Viewing

Sports & Adventure Activities

Basketball Court

Golf

Mountain Climbing

Cross Country Skiing

Hiking

Skiing

Cycling

Kayaking

Swimming

Fishing

Mountain Biking

Tennis

Feedback

Dining

Dining

Dining Area

Seating for 6 people

General

Air Conditioning

Heating

Living Room

Clothes Dryer

Internet

Parking

Garage

Iron & Board

Towels Provided

Hair Dryer

Linens Provided

Washing Machine

Kitchen

Coffee Maker

Kitchen

Pantry Items

Dishes & Utensils

Microwave

Refrigerator

Dishwasher

Oven

Stove

Toaster

Outside

Deck / Patio

Lawn / Garden

Tennis

Golf

Outdoor Grill

Reviews

4.8 ★★★★★ from 5 traveler reviews[Write a review](#)**Wonderful home. Great hosts.****★★★★★**

Olga B.

We loved our stay here. The hosts are great people, generous, gave us great tips about the area. The house was perfectly equipped with all the necessary items including full kitchen and comfortable furniture. The outside area was beautifully maintained and great for the kids and adults. The walk to the beach was 10 minutes with 5 y.o. kids but there is also parking at the beach available. The house is minutes away from Castle in the Clouds which is a perfect destination for hiking, lunch, beautiful views.

We had a great week here and are hoping to return soon! Thank you!

Stayed: July 2016 **Submitted:** August 6, 2016

Source: VacationRentals.com, from HomeAway

Was this review helpful? ☐ Yes ☐ No

**Impressive, roomy, quiet****★★★★★**

Robert H.

This home is spacious with great amenities. Short walk or drive to gorgeous private beach. Homeowners are gracious and anxious to make your stay memorable. I have 8 children and several grand children and it never felt confined or crowded. Lots of TV's and a fire pit out back for

[Feedback](#)

quiet conversation by the fire. Simply a great place to vacation or simply spend a long weekend.

Stayed: July 2016 **Submitted:** July 21, 2016 **Source:** HomeAway Family

Was this review helpful? ☐ Yes ☒ No



Anonymous

our large family enjoyed this property and will return again.

★★★★★

This was a large home with many rooms where our family could gather and also places -- a sunroom, deck, and front porch--- where one could be alone to read or nap!! It was on a quiet road with little traffic where young people could ride bikes and play. We rented for a week and all were sad to leave. **The owners live on the property and**, while that might inhibit some, it was not a problem and in fact a great way to learn about the area. They were available if needed but we were not aware of them living close by. There is a beach a short walking distance and ,since we were there on the fourth of july, it was very crowded. We still enjoyed time in the early morning and evening. The fire works were great!!!



Stayed: July 2016 **Submitted:** July 12, 2016 **Source:** HomeAway Family

Was this review helpful? ☐ Yes ☒ No



Jessica
Austin,
Texas, USA

Perfect for our large family!

★★★★★

This home was large and very well maintained. It had all of the amenities we needed and also had some extra features that made our stay very pleasant. We enjoyed sunny days at the lake and then would come back to the house and sit in the hot tub and BBQ and roast s'mores at the fire. Our children really enjoyed sleeping in the loft which is equipped with multiple beds. The kitchen was well stocked and the dining area large enough to seat our large group. **The hosts were incredibly nice and accommodating, even taking time to help us blow up some beach toys.** We had a delightful time while staying at this home and would highly recommend it!

Stayed: May 2016 **Submitted:** June 7, 2016 **Source:** VRBO

Recommended for: Families with young children, Sightseeing, Girls getaway, Adventure seekers, Age 55+, Romantic getaway, Families with teenagers

Was this review helpful? ☐ Yes ☒ No



Kristine C.

Perfect Vacation Rental

★★★★★

Our stay at this Moultonborough property was more than we could have hoped for. The home was large enough to accommodate our family and well equipped with everything we needed to make our visit hassle free. The interior was immaculate and beautifully decorated. It is located on a quiet little street with a short walk to a beautiful private beach. **The owner welcomed us warmly on our arrival.** We would highly recommend this property. It was the perfect vacation rental.

Feedback

Stayed: May 2016 Submitted: June 6, 2016 Source: VRBO
 Was this review helpful? **1** Yes **0** No

Rates

Currency Conversion

Rental basis: Per property

Rental rates quoted in: USD ▼

Dates	Nightly	Weekend Night	Weekly	Monthly *	Event
Fall Sep 11 - Oct 6, 2016 2 night min stay	\$300				
Columbus Day Weekend Oct 7 - Oct 10, 2016 3 night min stay	\$300				
Fall1 Oct 11 - Oct 31, 2016 2 night min stay	\$300				
Winter/Spring Nov 1 - May 5, 2017 2 night min stay	\$300				
Spring 2017 May 6 - May 25, 2017 3 night min stay	\$300				
Summer 2017 May 26 - Sep 5, 2017 7 night min stay	\$300				
My Standard Rate 3 night min stay	\$285				

Additional information about rental rates

Fees:

Cleaning Fee	\$150
security deposit	\$400

Notes:

Please add a \$150.00 cleaning fee to the listed rate. We require a \$400 refundable security/damage deposit. The rent is due in full 30 days prior to the check-in date. Changeover day is Saturday for weekly rentals. (Exception is Bike Week which will be a Sunday checkout)

[Feedback](#)

Owner's cancellation policy:

Policy available by contacting owner when booking

Don't forget your vacation protection! Get protected now

Adding our Vacation Protection services can make sure your getaway goes smoothly, no matter what. We offer Cancellation Protection and Damage Protection so you can truly relax.

Protect your payments in case you need to cancel. Travel with peace of mind.

Ensure you're prepared in case of accidental damage.

Calendar

Last updated: 09/20/2016

Arrival	Departure	Previous	Next
Check availability			

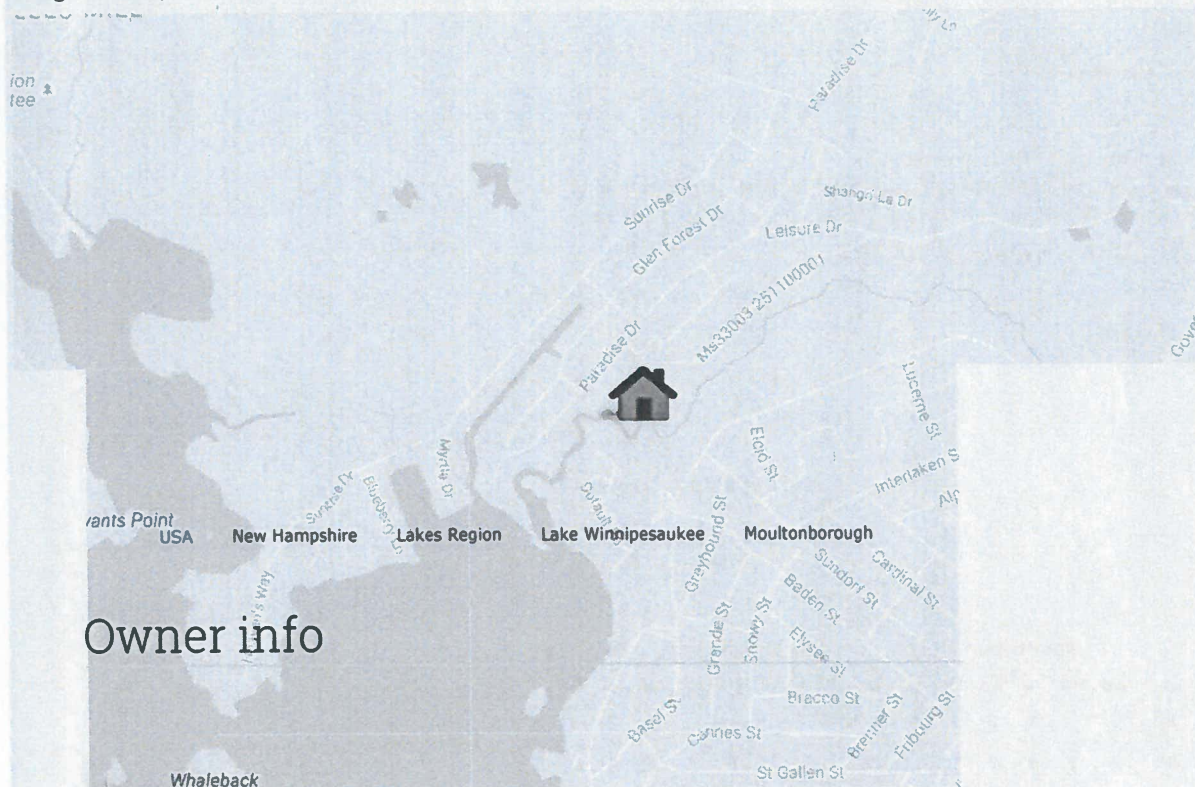
October 2016							November 2016							December 2016						
SU	MO	TU	WE	TH	FR	SA	SU	MO	TU	WE	TH	FR	SA	SU	MO	TU	WE	TH	FR	SA
						1			1	2	3	4	5					1	2	3
2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6	7	8	9	10
9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17
16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24
23	24	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31
30	31																			

January 2017							February 2017							March 2017						
SU	MO	TU	WE	TH	FR	SA	SU	MO	TU	WE	TH	FR	SA	SU	MO	TU	WE	TH	FR	SA
1	2	3	4	5	6	7				1	2	3	4				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25	19	20	21	22	23	24	25
29	30	31					26	27	28					26	27	28	29	30	31	

23 Available 21 Unavailable 22 Today 23 Selected dates

Location

Feedback



Owner info



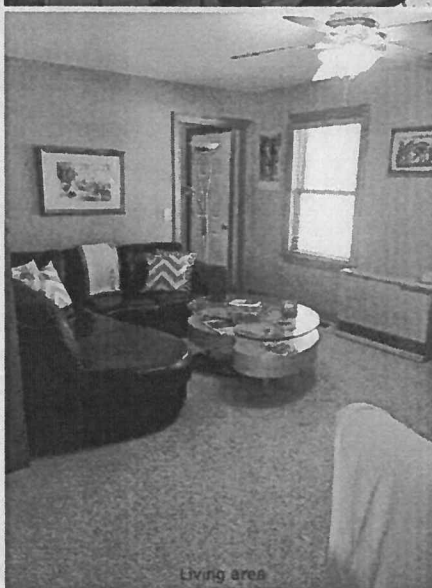
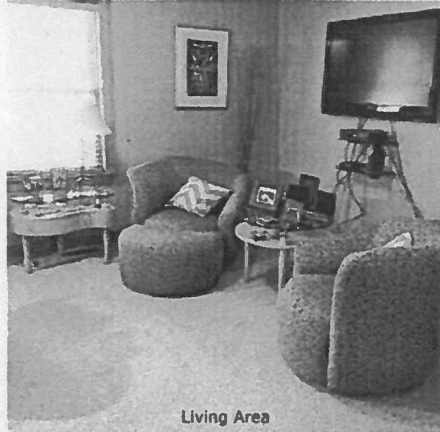
Contact us

Speaks: English

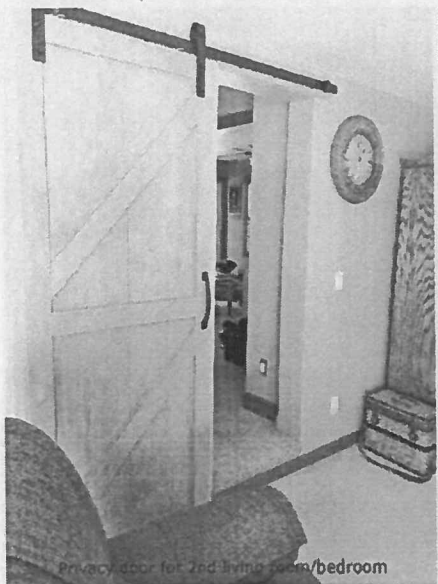
Photos



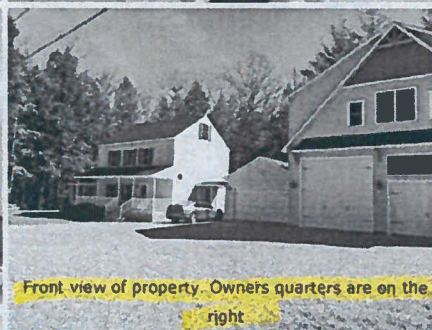
Feedback



Feedback



Feedback







VRBO #837019


This listing was first published here in 2016.

Date last modified - Wednesday, September 21, 2016

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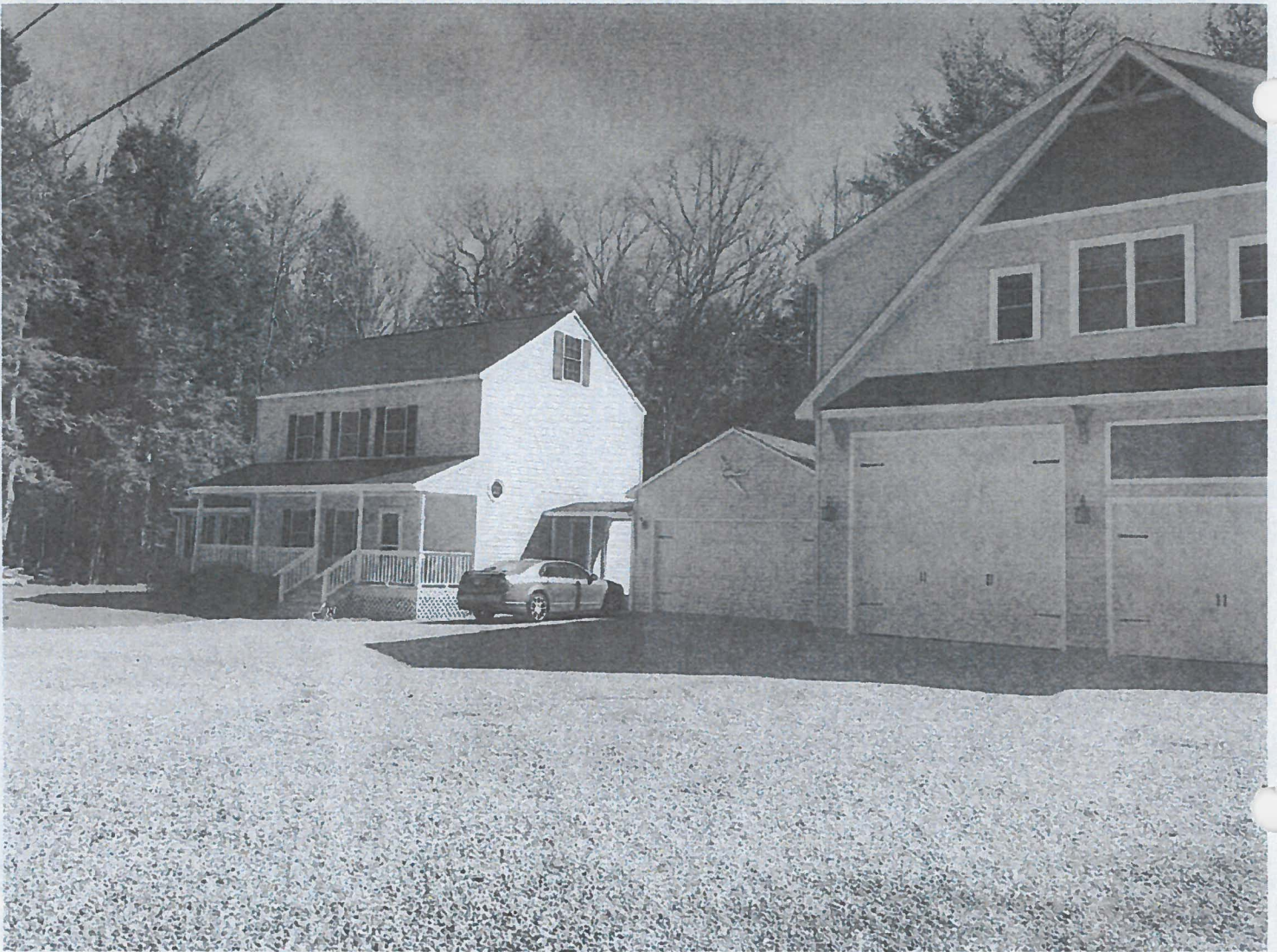
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**NHPUC TARIFF NO. 6
WATER**

LAKES REGION WATER COMPANY, INC.



**ISSUED IN ACCORDANCE WITH NHPUC REPORT AND ORDER NO. 24,692
IN DOCKET DW 05-137.
DATED OCTOBER 31, 2006**

Issued: November 27, 2006

Issued by: Thomas A. Mason Sr.
Thomas A. Mason Sr.

Effective: December 1, 2006

Title: President, Lakes Region Water Company, Inc.

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Issued: November 21, 2006

Issued by: Thomas A. Mason Sr.

Effective: December 1, 2006

Title: President, Lakes Region Water Company, Inc

Lakes Region Water Company, Inc.

SERVICE AREA

The territory authorized to be served by this utility and to which this tariff applies is as follows: Three areas known as **Far Echo Harbor (FEH)**, **Paradise Shores (PS)**, **West Point (WP)**, in Moultonboro, Carroll County, New Hampshire; two areas known as **Waterville Valley Gateway (WVG)**, **175 Estates (175E)** in Thorton, Grafton County, New Hampshire; one area known as **Hidden Valley (HV)** located in part Wolfeboro and in part Tuftonboro, Carroll County, New Hampshire; three areas known as **Wentworth Cove (WC)**, **Pendleton Cove (PC)**, **Brake Hill (BH)** in Laconia, Belknap County, New Hampshire; one area known as **Deer Run (DR)** in Campton, Grafton County, New Hampshire; one area known as **Woodland Grove (WG)** in Conway, Carroll County, New Hampshire; one area known as **Echo Lake Woods (ELW)** in North Conway, Carroll County, New Hampshire; one area known as **Tamworth Water Works (TWW)** in Tamworth, Carroll County, New Hampshire; two areas known as **Deer Cove (DC)**, **Indian Mound (IM)**, in Ossipee, Carroll County, New Hampshire; one area known as **Lake Ossipee Village (LOV)** in Freedom, Carroll County, New Hampshire; and one area known as **Gunstock Glen (GG)** in Gilford, Belknap County, New Hampshire.

Issued: November 21, 2006

Issued by: Thomas A. Mason Sr.

Effective: December 1, 2006

Title: President, Lakes Region Water Company, Inc.

Lakes Region Water Company, Inc.

TERMS AND CONDITIONS

1. Application for Service and Payment Address.

Application for service should be made to **Lakes Region Water Company, Inc.**
(the "Company"), P.O. Box 389, Moultonboro, New Hampshire 03254:

(a) A New Customer Service fee of \$25.00 will be included with the first billing

2. Service Extensions.

Extensions will be made to existing mains provided:

(a) Main pipe extensions shall be laid by and shall be the property of Lakes Region Water Company, Inc.

(b) Highways and streets in which an extension is to be made must have been laid out, lines and grades established, rough graded and dedicated to public use and easements granted to Lakes Region Water Company, Inc.

(c) The size of pipe shall be determined by the Company, in accordance with the New Hampshire Public Utilities Commission and with conditions surrounding the extension.

(d) For any extension made, the customer will be required to make a deposit with the Company in advance of construction for an amount equal to the estimated construction cost (exclusive of services and meters) of such extension. Such construction costs shall be adjusted to the actual cost upon completion.

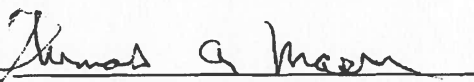
(e) Except under unusual circumstances, construction of main extensions will be carried on between May 1 and October 1 of each year.

3. Service Pipe.

The utility will install and maintain the service pipe from the main to the property line. It is the customer's expense to provide and maintain the service pipe and valve from the property line in. Any relocation of the service pipe on the customer's premises due to the change in grade, relocation of grade or otherwise shall be at the customer's expense, and in no event shall the Company be responsible for any damage done by water escaping therefrom. Each customer will install a stop and waste cock easily accessible and located inside the building near the service entrance.

Issued in compliance with NHPUC Order No. 24,730 in Docket DW 06-166, dated February 16, 2007

Issued: March 12, 2007

Issued by 
Thomas A. Mason Sr.

Effective: March 16, 2007

Title: President, Lakes Region Water Company, Inc.

Lakes Region Water Company, Inc.

4. Pipes and Fixtures.

- (a) Customers shall maintain the plumbing, piping and fixtures within their own premises in good repair, free from leaks and protected from freezing, at their own expense; and for failure to do so service may be disconnected.
- (b) If a leak occurs on the customer's premises and the Company cannot isolate the leak by disconnecting service, the Company may deem it necessary to repair the leak so as to protect the integrity of the system at the customer's expense.

5. Hot Water Tanks.

All customers having direct pressure hot water tanks or appliances must place proper automatic vacuum and relief valves in the piping system to prevent any damage to such tanks and appliances should it become necessary to shut off the water on the street mains or service pipe. Service will be provided to such direct pressure installations only at the customer's risk and in no case will the Company be liable for any damage occasioned thereby.

6. Use of Water.

All persons shall avoid unnecessary use of water. They shall not allow water to run to prevent freezing or to run longer than necessary for proper use. The Company shall determine what constitutes waste or improper use and will restrict the same with Commission approval when necessary.

7. Cross Connections.

- (a) No cross connections between the public water system and any non-potable supply will be allowed unless protected by a system specifically designed for this purpose and the connection is approved by the Company and by the State Department of Environmental Services.
- (b) The Company may disconnect a customer's service if the customer fails to address a condition that could contaminate the water system

8. Restricted Use.

When necessary to conserve supply, the company with commission approval may restrict or prohibit the use of hand hoses, lawn sprinklers, water cooler and air conditioning equipment.

9. Stoppage and Damage.

- (a) The Company will not be responsible for any damage caused by shut-offs in the mains of service pipes, because of shortage of supply, setting or removing meters, repairs, construction, or for other reasons beyond the control of the Company. Notice of shut-offs will be given when practicable; however, nothing in this rule shall be construed as requiring the giving of such notice.

Issued: November 21, 2006

Issued by: Thomas A. Mason Sr.

Effective: December 1, 2006

Title: President, Lakes Region Water Company, Inc.

Lakes Region Water Company, Inc.

- (b) The Company shall not be responsible for any damage caused by dirty water which may be occasioned by periodic cleaning of pipes, standpipes, the opening or closing of any gates or valves, or any other cause when reasonable care is excised on the part of the utility.

10. Tampering.

All curb cocks, valves, gates, shutoffs, standpipes, meters, etc. which are the property of the Company shall not be opened, closed, or tampered with in any way by any person other than an authorized employee of the Company.

11. Billing.

Bills will be rendered quarterly in accordance with the "terms of payment" specified in the rate schedule set forth by the Public Utilities Commission and are due and payable by the customer upon presentation.

12. Deposit.

The utility reserves the right to require a deposit, and, if a deposit is required, then it shall be established in accordance with the New Hampshire Public Utilities Commission rules and Regulations prescribing standards for water utilities.

13. Service Charges.

Shutoffs, connections, disconnections and reconnections, etc. shall be done only by an authorized representative of the Company. Fees for service calls are as follows:

• FEH, PS, WP	\$40.00
• WVG, DR, WG, ELW, 175E	\$55.00
• HV, TWW	\$45.00
• WC, PC, BH, DC, LOV, IM, GG	\$50.00

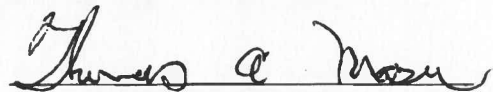
14. Disconnection of Service.

- (a) If a bill for service is unpaid and no arrangements for payment are made thirty (30) days after it has been rendered, the utility reserves the right to disconnect the service in accordance with the New Hampshire Public Utilities Rules and Regulations prescribing standards for water utilities.
- (b) Whenever the Company sends an employee to the customer's premises for the purpose of disconnecting service for non-payment and the customer tenders payment in full of the bill to prevent disconnection, the Company may require that payment in arrears plus one-half the service charge be paid in cash.
- (c) Fees for disconnection are as described above in service charges.

Issued in compliance with NHPUC Order No. 24,730 in Docket DW 06-166, dated February 16, 2007

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Thomas A. Mason Sr.

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Lakes Region Water Company, Inc.

15. Emergency Service.

Any service rendered by the Company on Saturdays, Sundays, holidays, or between the hours of 5:00 p.m. and 8:00 a.m. is considered to be an Emergency Service and the customer will be charged a service charge of one and one half (1 ½) times the above stated service charge.

16. Meters.**(a) *Furnishing of Meters.***

All meters will be furnished by and remain the property of the Company, which reserves the right to stipulate the size, type, and make of the meter used, as well as the location of the setting.

(b) *Meter Location.*

- i. The customer shall provide a clean, dry, warm and accessible place for the installation of the meter as nearly as possible to the point of entrance of the service pipe to the building.
- ii. Where this is impossible or impracticable it may be set, with Commission approval, at the property line, in a meter pit or some other location designated by the Company. All expense in connection with the proper housing shall be borne by the customer.
- iii. A meter, once set, will be relocated only at the customer's expense.

(c) *Meter Maintenance.*

- i. Meter repairs or replacements necessitated by ordinary wear and tear will be paid for by the Company;
- ii. Any damages to the meter caused by freezing, hot water, or by other fault of the customer will be charged to the customer. When such damage occurs, the Company will furnish and set another meter to replace the one frozen or otherwise damaged, and the cost of such repairs, including replacement parts, labor, and transportation charges as are necessary, shall be paid for by the customer.

(d) *Meter Reading.*

- i. Utilities which use meters shall read all service meters at regular intervals and on the corresponding day of each meter reading period insofar as practicable within regularly scheduled work days.
- ii. The quantity recorded by the meter shall be taken to be the amount of water passing through the meter, which amount shall be accepted as conclusive by both the customer and the Company except when the meter has been found to be registering inaccurately, or has ceased to register. In such cases, the error will be adjusted in accordance with New Hampshire Public Utilities Commission Rules and Regulations prescribing standards for water utilities.

Lakes Region Water Company, Inc.

(e) *Non-Registering Meters*

- i. If a meter is found which does not register a reading at the time of billing, the bill for the period of non-registration may be based upon information recorded prior to or subsequent to the period of non registration, and;
- ii. Any other pertinent information supplied by the customer or known to the Company

(f) *Tampering of Meters*

- i. If a meter, including the remote register and interconnecting cable or wire or other connections of equipment of the Company are found to have been interfered with, diverted, damaged or tampered with, the customer shall be assessed a charge not to exceed the actual cost of repair, or replacement if necessary, to such meter installation, and service may be terminated without notice.
- ii. Furthermore, the seal on a meter shall be broken only by authorized Company personnel. Any unauthorized broken seal shall constitute tampering.

(g) *Meter Reading for House Transfer.*

The charge for a meter reading requested for the transfer of a house will be the amount of a service charge described above and will be divided equally between buyer and seller.

(h) *Meter Testing.*

The company reserves the right to remove and to test any meter at any time and to substitute another meter in its place. In the case of a disputed account involving the question as to the accuracy of the meter, such meter will be tested in accordance with New Hampshire Public Utilities Commission Rules and Regulations prescribing standards for water utilities.

(i) *Meter Removal.*

Only the Company employees or representative shall be authorized to remove, inspect, or repair the meter on the customer's property. The customer shall notify the Company, as soon as it comes to his knowledge, of any injury to, or cessation in registration of the meter.

(j) *Right of Access.*

Any authorized Company representative shall have the right and be permitted access to the customer's premises at any reasonable time to inspect Company owned equipment.

17. Penalty for Bad Checks.

Whenever a check or draft presented for payment of service is not accepted by the institution on which it is written, the charge shall be the greater of \$5 or the actual administrative cost to recover.

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Lakes Region Water Company, Inc.

18. Vacancy of Premises.

Until the Company is notified in writing of a change in occupancy, the customer of record will be held responsible for all charges.

19. Availability Fee.

Any customer disconnected at the customer's request, or pursuant to New Hampshire code of Administrative Rules 1203.11, shall remain responsible for all minimum charges incurred during the lapse of service (disconnection period) and such charges shall be due when bills are issued in the ordinary billing cycle. Availability fees shall only be assessed to customers during the period of ownership. For the purpose of this section, "minimum charge" shall include all charges not based on the metered usage.

Issued: November 21, 2006

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Effective: December 1, 2006

Title: President, Lakes Region Water Company, Inc.

GENERAL SERVICE – METERED
For
CONSOLIDATED TARIFF SYSTEMS
PERMANENT RATES

DIVISION

FAR ECHO HARBOR, PARADISE SHORES, WEST POINT, WATERVILLE
VALLEY GATEWAY, HIDDEN VALLEY, WENTWORTH COVE, PENDELTON
COVE, DEER RUN, WOODLAWN GROVE, ECHO LAKE WOODS, BRAKE HILL

AVAILABILITY

This schedule is available to all water service in the franchise area.

CHARACTER OF SERVICE

Water will be furnished at a minimum pressure of twenty (20) pounds per square inch
and at a maximum pressure of one hundred twenty five (125) pounds per square inch.

RATES

Minimum charge per customer per quarter	\$ 142.01
Or Annual minimum charge per customer	\$ 568.05
Plus Metered Rate per 100 cubic feet	\$ 5.53

TERMS OF PAYMENT

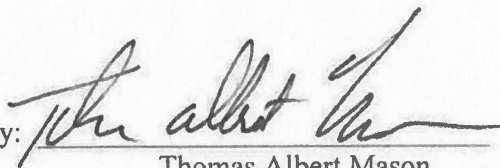
Bills under these rates will be rendered quarterly and are due and payable upon
presentation. Interest at the rate of eighteen percent (18%) per annum will be charged on
all bills thirty (30) days past due.

Issued in compliance with NHPUC Order No. 25,969 in Docket DW 15-209, dated November 28, 2016

Issued: November 28, 2016

Effective: September 14, 2015

Issued by:


Thomas Albert Mason

Title: President, Lakes Region Water Company, Inc.

GENERAL SERVICE – UNMETERED
For
CONSOLIDATED TARIFF SYSTEMS
PERMANENT RATES

DIVISION

WATERVILLE VALLEY GATEWAY - POOL

AVAILABILITY

This schedule is available to all water service in the franchise area.

CHARACTER OF SERVICE

Water will be furnished at a minimum pressure of twenty (20) pounds per square inch and at a maximum pressure of one hundred twenty five (125) pounds per square inch.

RATES

Minimum charge per quarter	\$ 419.25
Or annual minimum charge for community pool	\$ 1,676.98

TERMS OF PAYMENT

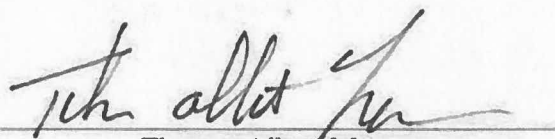
Bills under these rates will be rendered quarterly and are due and payable upon presentation. Interest at the rate of eighteen percent (18%) per annum will be charged on all bills thirty (30) days past due.

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GENERAL SERVICE – UNMETERED
For
CONSOLIDATED TARIFF SYSTEMS
PERMANENT RATES

DIVISION

TAMWORTH WATER WORKS, 175 ESTATES, DEER COVE, LAKE OSS�PEE
VILLAGE, INDIAN MOUND, GUNSTOCK GLEN

AVAILABILITY

This schedule is available to all water service in the franchise area.

CHARACTER OF SERVICE

Water will be furnished at a minimum pressure of twenty (20) pounds per square inch
and at a maximum pressure of one hundred twenty five (125) pounds per square inch.

RATES

Minimum charge per customer per quarter	\$ 180.55
Or Annual minimum charge per customer	\$ 722.20

TERMS OF PAYMENT

Tamworth Water Works bills under these rates will be rendered quarterly and in advance
of services rendered and are due and payable upon presentation. Interest at the rate of
eighteen percent (18%) per annum will be charged on all bills thirty (30) days past due.

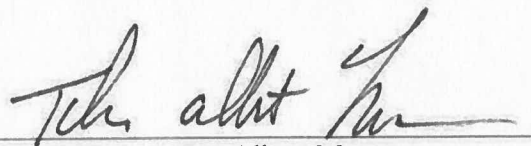
175 Estates, Deer Cove, Lakes Ossipee Village Indian Mound and Gunstock Glen bills
under these rates will be rendered quarterly and are due and payable upon presentation.
Interest at the rate of eighteen percent (18%) per annum will be charged on all bills
thirty (30) days past due.

Issued in compliance with NHPUC Order No. 25,969 in Docket DW 15-209, dated November 28, 2016

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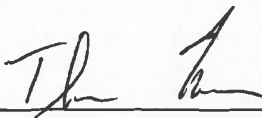
NHPUC No. 6 – WATER

Lakes Region Water Company, Inc.

Superseded by 2nd Revised Page 12
Superseding 1st Revised Page 13

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Issued: March 3, 2011

Issued by: 
Thomas Albert Mason

Effective: September 17, 2010

Title: President, Lakes Region Water Company, Inc.

NHPUC No. 6 – WATER

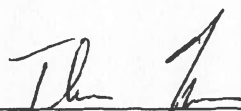
Lakes Region Water Company, Inc.

Superseded by 2nd Revised Page 12
Superseding 1st Revised Page 14

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Issued: March 3, 2011

Issued by: _____



Thomas Albert Mason

Effective: September 17, 2010

Title: President, Lakes Region Water Company, Inc.

NHPUC No. 6 – WATER

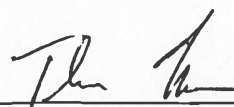
Lakes Region Water Company, Inc.

Superseded by 2nd Revised Page 12
Superseding 1st Revised Page 15

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Issued by: _____



Thomas Albert Mason

Effective: September 17, 2010

Title: President, Lakes Region Water Company, Inc.

NHPUC No. 6 – WATER

Lakes Region Water Company, Inc.

Superseded by 3rd Revised Page 12
Superseding Original Page 17

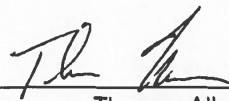
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Issued in compliance with NHPUC Order No. 25,196 in Docket DW 10-141, dated February 18, 2011, and
NHPUC Order No. 25,197 in Docket DW 08-070, dated February 18, 2011

Issued: March 3, 2011

Effective: February 18, 2011

Issued by: _____



Thomas Albert Mason

Title: President, Lakes Region Water Company, Inc.



ACCESSORY DWELLING UNITS (ADUs) (Rev 3)

Authority.**NH RSA 674:71-73, Accessory Dwelling Units****Purpose.**

In accordance with NH RSA 674:71 – 73 this provision allows for the creation of an Accessory Dwelling Unit (ADU) as an accessory use to existing single-family detached dwellings.

Definitions.

“Accessory dwelling unit (ADU)” means a subordinate dwelling residence with complete and independent living facilities on the same lot attached to or contained within an existing single-family dwelling. Every accessory dwelling unit shall be deemed a unit of workforce housing for purposes of satisfying the municipality’s obligation under RSA 674:59.

Designation.

One accessory dwelling unit shall be permitted only on parcels which meet the following conditions:

- A. A legal lot of record;
- B. Contains one existing single-family detached dwelling which is a conforming use;
- C. Contains no other accessory dwelling residence(s).

Procedure.

Each accessory dwelling unit shall require a building permit and an occupancy permit and meet the standards contained in the section below.

Standards.

A. New construction for an accessory dwelling unit shall comply with all the development standards for a single-family detached dwelling including, but not limited to, setbacks, height limits and lot coverage (for lots in the Comprehensive Shoreland Protection Zone) and shall not increase any nonconforming aspect of any existing structure unless otherwise addressed by this chapter.

B. The following standards shall also apply:

1. The maximum size of an ADU shall not exceed 1,000 sq. ft. area.
2. Both the ADU and the primary residence shall comply with the state Building Code and Fire Code regulations for construction, minimum living space, fire exits and smoke alarms.
3. An accessory dwelling shall not be considered to be an additional dwelling unit for the purposes of determining minimum lot size or development density of the property.
4. The main exterior entrances may not be on the same side of the building.

-
5. An interior door shall be provided between the principal dwelling unit and accessory dwelling unit. There is no requirement for said interior door to remain unlocked.
 6. The architecture of the ADU shall match that of the primary residence.
 7. One off-street parking space shall be provided in addition to those required for the primary residence for a minimum total of three.
 8. There shall be no exterior stairway leading to the ADU on the front of the house.
 9. There shall be no more than two bedrooms in an ADU.
 10. The applicant shall make adequate provisions for water supply and sewage disposal in accordance with NH RSA 485-A: 38, however, separate utility connections are not required by the Town.
 11. The owner of a property containing an accessory dwelling shall reside in either the principal or the accessory dwelling as their primary residence.
 12. The structure and lot shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the principal single-family dwelling.
 13. No more than four persons shall occupy an ADU.

**Moultonborough Planning Board
P.O. Box 139
Moultonborough, NH 03254**

Regular Meeting

November 9, 2016

Minutes

Present: Members: Scott Bartlett, Rich Kumpf, Joanne Farnham, Kevin Quinlan, Allen Hoch, Norman Larson, Russ Wakefield (Selectmen's Representative)

Alternate: Rich Thorman

Staff Present: Gerald I. Coogan, Interim Planner; Administrative Assistant, Bonnie Whitney

I. Pledge of Allegiance

Chairman Bartlett opened the regular meeting at 7:00 PM and led the Pledge of Allegiance. The members then introduced themselves to the public.

II. Approval of Minutes

Motion: Mr. Hoch moved to approve the Planning Board Minutes of October 26, 2016, as written, seconded by Mr. Quinlan, carried unanimously with Mr. Bartlett and Mrs. Farnham abstaining.

III. Citizen's Forum – None

IV. New Submissions – None

V. Boundary Line Adjustments – None

VI. Public Hearings – 2017 Proposed Zoning Amendments

The Chair stated that this was the Public Hearing for the Proposed Zoning Amendments, giving a brief protocol for this evenings meeting. There were approximately nine (9) members of the public in attendance for the Public Hearing.

The Chair stated that he and Mr. Kumpf had prepared a short Power Point presentation in which they would like to present to the public which will give a brief overview of the 2 Proposals, with an opportunity for questions after the presentation. (See attached presentation)

The Chair opened the Public Hearing for the first proposal and read the language from the agenda for proposed amendment No. 1. into the record.

1. Adding language relating to and defining Accessory Dwelling Units in accordance with NH RSA 674:71-73 - This proposal will amend the Zoning Ordinance by adding a new Article III (M) and amending Article XV that establishes the creation of an Accessory Dwelling Unit (ADU) as an accessory use to existing single-family detached dwellings.

Chairman Bartlett gave a brief Power Point Presentation which identified the two proposals, the goals for this evening and an overview relating to Accessory Dwelling Units.

The Chair opened the Hearing for Board questions or comments. Mr. Larson stated that it is his understanding that the intention with the connected ADU is that it's connected with an enclosed space, and that an enclosed porch or garage would be okay for the connection, but not a roof with an open porch. The Chair noted that in his discussion with the Code Enforcement Officer he pointed out that the connection should have a maximum dimension. The CEO felt that a reasonable maximum connection distance would be fifteen to twenty feet.

The Chair opened the public input portion of the hearing. Joe Cormier provided members with a handout he had prepared dealing with the ADU verbiage, specifically the definition section. Mr. Cormier read his narrative into the record questioning why the proposal defined "Accessory Dwelling Unit" when the definition of an ADU is already defined in the RSA. He also questioned the need to define "Rental Occupancy" as it is confusing. He had concerns with using the word "detached" and "rental". Mr. Cormier stated that the language the Board had prepared was good, but as stated, had a few concerns.

Chris Shipp stated that it was noted that the statute allows for both attached and detached ADU's and questioned the reason why the proposal is to not allow detached ADU's. Mr. Larson commented that the Board was very concerned that the statute allowing ADU's as a detached structure would in fact basically cut our lot sizing in half and with the prevalence of waterfront property it would become a doorway for creating much higher density on the waterfront, with effectively two dwellings per lot.

Hearing no further comments, the Chair then closed the public input for proposed Zoning Amendment #1.

The Chair then asked for board comments.

Mr. Kumpf proposed adding language to Item #11 Standards "as their primary residence" for further clarification. Members briefly discussed this minor change, noting they agreed with the suggested amendment.

Motion: Mr. Kumpf moved to add "as their primary residence" to Item 11 under standards, Seconded by Mr. Quinlan, carried unanimously.

Mr. Wakefield noted that the CEO had recommended a limit on a connector for a detached ADU. A brief discussion ensued with a large difference of opinion as to what the limit should be. It was the decision of the Board not to set a specific connection distance now, noting if it becomes a problem in the future, they could amend the article.

Members discussed the comments brought up by Mr. Cormier regarding Definitions. It was the decision of the Board to not make any changes regarding the definition of "Accessory dwelling unit" and to strike the definition of "Rental occupancy".

Board members agreed with the proposed language with the two minor amendments as noted. There were no further comments or questions.

Motion: Mr. Quinlan moved that the Board accept the language as amended and to forward it to the Town Clerk for posting on the warrant, seconded by Mrs. Farnham, motion carried 7 to 0 in favor.

The Chair opened the Public Hearing for the second proposal and read the language from the agenda for proposed amendment No. 2. into the record.

2. Adding language and map creating a Village Center Overlay District (VCOD) – This proposal will amend the Zoning Ordinance by adding a new Article IX-B (The current Article IX, Wetland Resources Conservation Overlay District, will be re-codified to Article IX-A, with Article IX being the general article for overlay districts) that establishes an overlay district to encourage the development of the Moultonborough Village Center in a manner consistent with its historic pattern, including the size and spacing of structures and open spaces. Additionally, including a map which outlines the VCOD with the properties identified in this proposal.

Vice-Chair Kumpf gave a brief Power Point Presentation explaining what an Overlay District is, what is the VCOD, the proposed Overlay District Map, Goals, Permitted Uses, Conditional Uses and the Design Principals and Standards.

The Chair opened the Hearing for Board questions or comments.

Mr. Larson commented that there was an inconsistency in the Applicability, noting that Professional Office was listed in both the Permitted Uses and the Conditional Uses, stating for clarification it should be stricken out of one. Chairman Bartlett commented that in discussions with the Interim Planner, he suggested that there be a size limit placed on this, anything over “x” number of feet would require a Conditional Use Permit (CUP). Members discussed this minor change briefly and agreed with adding language to Item #10 under Permitted Uses to read “Professional or medical office up to 5,000 sq. ft., and adding language to Item #5 under Conditional Uses to read “Business and professional offices more than 5,000 sq. ft.

Motion: Mr. Larson moved to add “up to 5,000 sq. ft.” to Item 10 under Permitted Uses, and to add “more than 5,000 sq. ft.” to Item #5 under Conditional Uses. Seconded by Mr. Quinlan, carried unanimously.

The Chair opened the public input portion of the hearing.

Paul Punturieri, 22 Nelson Road, stated that he did not have a problem with the proposed amendment, but did have a problem with the map, or the boundaries proposed for the overlay district. He pointed to the location of his property and surrounding lots which are all residential. More specifically, he pointed out that there is a 7.27-acre vacant lot which abuts his property and he does not want a hotel, bed and breakfast, daycare centers or restaurants built on that property. Mr. Punturieri stated that if this were the map then he would vote no on the proposed amendment.

Cristina Ashjian commented that there are several inconsistencies within the language. She stated that she supports a village overlay district, but noted in some of the document it’s being called the Moultonborough Village Center Overlay District, and in others not. It is confusing as the Moultonborough Village Center Overlay District language and the Moultonborough Village Center Overlay District Design Guidelines go back and forth between Moultonborough Village and Village Center.

Hearing no further comments, the Chair then was going to close the public input for proposed Zoning Amendment #2, but Mr. Punturieri stated he would like to know the answer regarding the size of the overlay district. Mr. Wakefield referred to the VCOD design guidelines in which the first bullet under Design Principals states “Buildings should be compatible with their surroundings and traditional New England residential architecture and color palettes.” He stated that he understood Mr. Punturieri’s concern and if he lived there, would have the same concern, but also in looking at the guidelines, if it’s residential and that whole section is residential, then they’re not going to put a hotel in there.

The Board briefly discussed amending the language to remove all the references to Moultonborough in

the document, except in the title (Moultonborough Village Center Overlay District) calling it the VCOD for consistency.

A discussion ensued regarding the proposed boundaries for the VCOD, with the Chair asking members what they thought, should the map be changed? Members responses varied from they were not comfortable with the map as proposed, it's very large and should be reduced, make it smaller and do not change it, as there is language contained in the guidelines about uses being consistent with neighboring land uses.

The Chair and the Interim Planner Coogan suggested amendments to the language in which to address the concerns of Mr. Punturieri and the board. Mr. Coogan suggested the following language "a proposed development in a defined residential neighborhood shall be consistent with the character and the existing neighborhood use as determined by the Planning Board" being inserted as a new bullet under Purpose.

Mr. Punturieri stated that he did not feel that this would address his concerns. After discussing several variations, the following motion was made:

Motion: Mr. Quinlan moved to table Item #2 for further study, seconded by Mr. Hoch with the caveat for further input and discussion by board members.

Mr. Kumpf asked for a discussion on the motion. He commented that the board agrees that their intent is to re-propose the amendment, not killing the VCOD, but modifying the proposal. Mr. Coogan stated the motion should be to continue the public hearing to a date certain to allow time to reconsider the issue with the area as noted by the abutter. This would be a continuation of the public hearing and would not need to be re-noticed, but continued to a later date.

Mr. Quinlan withdrew his prior motion and made the following:

Motion: Mr. Quinlan moved to continue the Public Hearing for Item #2, 2017 Proposed Zoning Amendments, to December 14, 2016, with a date of January 11, 2017 for a second hearing, if the planning board makes substantive changes to the proposed amendment, seconded by Mrs. Farnham, motion carried 6 to 1 with Mr. Bartlett opposing.

VII. Other Business/Correspondence

1. Patterson Grantor Trust (280-10) (22 Wellswood Road) Subdivision Amendment

The Chair stated that the Board was in receipt of a request for an amendment to a subdivision which was approved by the Board in 2015. He noted a letter dated October 28, 2016 from the Code Enforcement Officer which briefly explained the requested amendment. There was a 50' setback from the wetlands depicted on the plan, which does not apply to the lot as existing lots under 5 acres are exempt from this requirement (see MZO Article IX.E. Exemptions). The proposed amendment removes the 50' setback line. To record the amended plan, it requires Board approval and the Chairman's signature on the plan. Members reviewed the CEO's letter and the plan.

Motion: Mr. Quinlan moved to approve the amended plan and authorize the Chair to sign the Mylar for recording, seconded by Mrs. Farnham, carried unanimously.

2. Master Plan Update – The Chair stated that the Board had approved the Land Use & Development chapter for the required public hearing. The MPSC is in the process of completing the Transportation Chapter and the Executive Summary. Once those are completed, they will be presented to the Board for

their review and approval. At that time the Board can set a date for the required public hearing for the adoption of the amendments to the Master Plan.

3. Planning Board 2017 Meeting Dates - The Board was provided with a draft of the 2017 meeting dates. Members reviewed the dates and the Board agreed to cancel the November 22nd meeting as shown.

Motion: Mr. Quinlan moved to approved the Planning Board 2017 meeting dates as presented, cancelling the November 22nd, 2017 meeting, seconded by Mr. Kumpf, carried unanimously.

4. The Chair questioned if members wished to hold their meeting of December 28th. After a poll of the Board it was the decision to CANCEL the Planning Board meeting of December 28, 2016.

IX. Adjournment: Mrs. Farnham made the motion to adjourn at 9:04 PM, Seconded by Mr. Hoch, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant

NOTICE: These DRAFT Minutes have not been formally approved by the Planning Board. Please contact the Office of Development Services after the next regularly scheduled meeting of the Moultonborough Planning Board to be held on the 2nd and 4th Wednesday of each month, to learn if any corrections, additions or deletions were made.