

**OSSIPEE PLANNING BOARD  
PUBLIC HEARING & MEETING MINUTES  
January 16, 2018**

Minutes recorded by and transcribed by Laura Nash, Planning Board Secretary, amendments are noted by ***bold/italic*** type.

**Call to Order:** Chairman, Connie Billings called the meeting to order at 7:00 PM.

**Pledge of Allegiance:** was recited

**Attendance by Roll Call:** – Connie Billings-Chairman, Roy Barron-Vice Chair, Sandra “Sam” Martin-Selectmen’s Rep., Dennis Legendre, Bob Gillette, Tim Otterbach, and Steve McConarty (ZEO).

**Absent** - Rick St. Jean. **Late Arrival:** Peter Zavas

Chairman opened the public hearing.

**PUBLIC HEARING**

On Proposed Zoning Ordinance Changes

Chairman Billings read as follows:

**Proposed 2018 Warrant Article to Amend Ossipee Zoning Ordinance**

**“Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Town Zoning Ordinance as follows?:** Amendment replaces the outdated Section 4.9 entitled “Travel Trailers and Campers” with a new Section 4.9 entitled “Recreational Vehicles and Tents on Private Property,” and adds pertinent definitions to expand and clarify regulations of such temporary and mobile uses.

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**I. Amend Section 4.9 as follows:**

*The **current** Section 4.9 reads as follows:*

**“4.9 TRAVEL TRAILERS AND CAMPERS**

A travel trailer and/or camper, defined by this Ordinance, owned and registered by residents of the Town of Ossipee for personal use, may be stored or parked during periods of non-use on the premises of the owner, provided it remains mobile, is not hooked to utilities and remains uninhabited. (Amended March 1996) - The town will allow occasional use of Recreational Vehicles on parcels of land, if parcels are used for not more than fourteen (14) days in any calendar year. The landowner must comply with the remainder of RSA 216-I: 13.”

Chairman Billings called on Otterbach to read the following section:

*The **proposed** Section 4.9 reads as follows:*

**“4.9 RECREATIONAL VEHICLES AND TENTS ON PRIVATE PROPERTY**

PB Mtg Minutes: 01/16/2018

PB Approved: 02/06/2018

**4.9.1. General Requirements.** A recreational vehicle or tent shall be located on private property (that isn't a Recreational Camping Park – See Article XV) only in compliance with this Section 4.9.

**4.9.2. Campsite.** A campsite shall comply with the following requirements:

- a) A recreational vehicle or tent shall be located on private property wholly within a private campsite (as defined in this Ordinance) designated by the property owner.
- b) The corners of the campsite shall be marked by the property owner, and shall be of sufficient size to accommodate the recreational vehicle or tent.
- c) One private campsite per parcel of land is allowed for a period no longer than thirty (30) days, consecutive, during a calendar year.
- d) If a campsite is occupied or planned to be occupied for more than ten (10) consecutive days, the property owner shall obtain a permit from the Building Department, and shall be required to show sufficient arrangements for adequate water supply, and that satisfactory sewerage and solid waste disposal safeguards are in place.
- e) No campsite shall be used as a permanent residence.
- f) A campsite placement on any lot shall conform to the setback requirements in Article VI, Sections 6.4.1. and 6.4.2. of this Ordinance. For purposes of applying, the setback requirements, the area of the campsite shall be treated the same as a structure is treated in Sections 6.4.1. and 6.4.2.
- g) Solid waste and sewerage shall be disposed of in a lawful manner.
- h) A parcel owner shall not receive any form of compensation from use of a campsite.
- i) A recreational vehicle connected to a water supply shall be hooked to a sewage disposal system approved by the NH Department of Environmental Services.
- j) Only one recreational vehicle or tent is allowed per campsite.

**4.9.3. Storage of a Recreational Vehicle or Tent.** Nothing herein shall preclude the storage of an unoccupied recreational vehicle or tent on private property provided:

- a) A recreational vehicle shall be owned and registered in the name of the owner of the property.
- b) A tent shall be fully collapsed and disconnected from all utilities.
- c) All recreational vehicles shall be stored in their fully collapsed, road-ready configuration, disconnected from all utilities.
- d) All other state and local requirements are met.
- e) No more than one (1) recreational vehicle shall be stored on a property.”

Barron referred to 4.9.3 (e) and questioned what if you own more than one recreational vehicle. McConarty noted as long as they are registered there is no problem with storing the recreational vehicles on your property. Board discussion ensued and no changes were made to this requirement.

McConarty questioned 4.9.2 (b) as to why the campsite corners need to be pinned. Billings stated that McConarty wrote it. McConarty called on Attorney Sager as to the thought process for adding this requirement. Attorney Sager added this requirement as a means of determining the relation to the setbacks. Board discussion ensued and no changes were made to this requirement.

Peter Zavas arrived at 7:09 PM.

Gillette questioned 4.9.3 (c) All recreational vehicles shall be stored in their fully collapsed, road-ready configuration, disconnected from all utilities. Gillette noted it's common to run an extension cord to preserve the battery. Board discussion ensued and no changes were made to this requirement.

Chairman Billings opened discussion to the public.

Marie McConarty asked if the first paragraph of Article 4.9 was read and addressed. Billings noted it is the current zoning ordinance.

Chairman Billings called for a motion.

A **Motion** by Otterbach to accepted the new proposed Section 4.9 in its entirety, which is **4.9 RECREATIONAL VEHICLES AND TENTS ON PRIVATE PROPERTY**, as read. Martin seconded the motion.

**Discussion:** Legendre addressed Article 4.9.3 (e) for having more than one recreational vehicle stored on personal property. Board discussion ensued over what is classified as a recreational vehicle. Attorney Sager interjected noting part II of this article defines recreational vehicles. Billings stated Article II is considered a separate article. Attorney Sager disagreed, he wrote it to one article but Billings stated it would be two separate articles.

Chairman Billings called on Legendre to read proposed Article II:

**II. Amend Article XXXIII entitled “Definitions” to include the following definitions:**

Replace the **current** definition of “Travel Trailer,” which provides:

“TRAVEL TRAILER: A recreational vehicle that is towed by a car or truck. It is designed as temporary living accommodations and is usually outfitted for connecting with temporary utility hookups.”

With the following **proposed** definition of “Recreational Vehicle”:

“Recreational vehicle. A recreational vehicle means any of the following vehicles:

- 1) Motorhome or van, which is a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
- 2) Pickup camper, which is a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
- 3) Recreational trailer, which is a vehicular, portable structure built on a single chassis, 400 square feet or less when measured at the largest exterior horizontal projections, calculated by taking the measurements of the exterior of the recreational trailer including all siding, corner trim, molding, storage space and area enclosed by windows but not the roof overhang. It shall be designed primarily not for use as a permanent dwelling but as a temporary dwelling for recreational, camping, travel or seasonal use.
- 4) Tent trailer, which is a canvas or synthetic fiber folding structure, mounted on wheels and designed for travel, recreation, and vacation purposes.”

Add the following **proposed** definitions:

“Tent. A portable canvas or synthetic fiber structure used as a temporary dwelling for vacation or recreation purposes.”

“Campsite, Private. An area located on private property and not in a recreational campground or camping park for the placement of a tent or a recreational vehicle for the overnight use of its occupants.”

Chairman Billings asked Martin and Otterbach to withdraw their previous motion, as to include the definitions into Article I.

Martin and Otterbach each withdrew their motion and second.

A **Motion** by Otterbach to accepted the new proposed Section 4.9 entitled Recreational Vehicles and Tents on Private Property and Amend Article XXXIII entitled “Definitions” as read. Martin seconded the motion. No further discussion. A vote by show of hands **in favor** included Otterbach, Legendre, Martin, Zavas, and Gillette. **Opposed** – Barron, **Abstained** – Billings. **Motion passed by the Planning Board 5-1.**

Chairman Billings called on Barron to read Amendment No. 2 as follows:

**“Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Town Zoning Ordinance as follows?:** Amendment allows for a “Bed and Breakfast” as a permitted use in the Rural Zoning District, and adds “Temporary Structure” as a new definition to Article XXXIII entitled “Definitions.”

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**I. Amend Article XXXIV entitled “Permitted Uses and Special Exceptions,” Table 1 – “Chart of Uses,” Section 34.2 to allow a “Bed and Breakfast” as a permitted use instead of requiring a special exception, as follows:**

(Note: Text to be deleted appears in ~~strike through~~. Text to be added appears in ***bold italics underline***):

**TABLE 1 – CHART OF USES**

		Village	Residential	Roadside Commercial	Commercial	Rural	Commercial Node	Corridor
	<b><u>34.2 COMMERCIAL USES</u></b> (See also Article XXXV, Section 35.2)							
a.	Amusement Facility	P	N	P(1)	P	N	P	P(2)
b.	Automobile Service Station'	SE	N	P(1)	P	N	P	P(2)
c.	Automobile and Truck Repair	SE	N	P(1)	P	N	P	P(2)
d.	Bed and Breakfast	P	P	P(1)	P	<del>SE</del> <b><i><u>P</u></i></b>	P	P(2)

**Article XXXIII – Definitions; Definition to be added**

**II. Amend Article XXXIII entitled “Definitions,” to add the new definition of “Temporary Structure,” as follows:**

“Temporary Structure. A temporary or portable canopy, carport, garage, shelter or tent. A temporary structure shall be subject to all setbacks, and shall have the same setback requirements as an accessory building.”

Billings called for a motion before discussion can take place.

A **Motion** by Martin to accept Amend Article XXXIV entitled “Permitted Uses and Special Exceptions,” Table 1 – “Chart of Uses,” Section 34.2 to allow a “Bed and Breakfast” as a permitted use instead of requiring a special exception and Amend Article XXXIII entitled “Definitions,” to add the new definition of “Temporary Structure. Otterbach seconded for discussion.

**Discussion:** Martin noted she has been contacted by phone, in the grocery store and other places by people with residences who are not happy with this proposed change.

Steve McConarty commented, as a resident has to agree with Martin. He is not in favor of this proposed change. He believes abutters should be notified before changes are taking place in their neighborhood.

Billings stated abutters would be notified because the only item changing is they would no longer need to go before the ZBA for a special exception. But they would still be require to come before the Planning Board for a Site Plan review.

Marie McConarty asked what the purpose of eliminating the ZBA is. Billings claimed its creating barriers in the rural zone that no other zones have. Barron claims its discriminating against the rural zone. Otterbach indicated it seems redundant to go before the ZBA and then PB for approval.

Martin reiterated people are not happy with this change. Billings noted on Election Day the residents can it down if they don't like the change as with any of these zoning changes.

With no further discussion, Billings called for a vote by show of hands of those In Favor were Otterbach, Legendre, Barron, Zavas and Gillette. Oppose – Martin, Abstain – Billings. **Motion passed by the Planning Board 5-1.**

Attorney Sager pointed out there are two Amend Article XXXIII entitled Definitions and the Board may want to separate them from the other Articles. Billings agreed.

A **Motion** by Billings to rescind both previous vote for the new proposed Section 4.9 entitled Recreational Vehicles and Tents on Private Property and Amend Article XXXIII entitled "Definitions" and Amend Article XXXIV entitled "Permitted Uses and Special Exceptions," Table 1 – "Chart of Uses," Section 34.2 to allow a "Bed and Breakfast" as a permitted use instead of requiring a special exception and to move Amend Article XXXIII entitled "Definitions," to add the new definition of "Temporary Structure to consolidate all new definitions under article 4.9. Martin seconded. **A unanimous vote was taken by show of hands.**

A **New Motion** by Billings to accepted the new proposed Section 4.9 entitled Recreational Vehicles and Tents on Private Property and Amend Article XXXIII entitled "Definitions for Recreational Vehicle, Tent, Campsite, Private and Temporary Structure" as read. Martin seconded the motion. No further discussion. A vote by show of hands **in favor** included Otterbach, Legendre, Martin, Zavas, and Gillette. **Opposed – Barron, Abstained – Billings. Motion passed by the Planning Board 5-1.**

A **New Motion** by Billings to accept Amend Article XXXIV entitled "Permitted Uses and Special Exceptions," Table 1 – "Chart of Uses," Section 34.2 (d) to allow a "Bed and Breakfast" as a permitted use in the Rural district. Barron seconded. No further discussion. A vote by show of hands of those **In Favor** were Otterbach, Legendre, Barron, Zavas and Gillette. **Oppose – Martin, Abstain – Billings. Motion passed by the Planning Board 5-1.**

Chairman Billings called on Zavas to read Amendment No. 3 to Amend Section 24.1.1 as follows:

#### **Proposed 2018 Warrant Article to Amend Ossipee Zoning Ordinance**

**"Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the Town Zoning Ordinance as follows?:** Amendment modifies the language in Section 24.1.1 to require a building permit for all construction in the Town, but maintains the current exemption from any building permit fee for projects having less than \$2500 in materials cost.

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**I. Amend Section 24.1.1 as follows:**

The **current** Section 24.1.1 reads as follows:

“24.1.1. BUILDING AND ZONING PERMITS: (Added March 1995) Building and Zoning Permits issued by the Town of Ossipee, N.H. will be required in accordance with the International Code Council Regulation Section R105 Permits as adopted by the state of N.H.; when the project’s material value meets or exceeds the local (within 50 miles) average retail cost of \$2500 as determined by the Town Authority issuing the permit (Zoning Enforcement Officer or Building Inspector. Applications for these purposes shall be available at the Ossipee Town Hall. (Amended March 2006 and 2010)”

The **proposed** Section 24.1.1 reads as follows:

“24.1.1. BUILDING AND ZONING PERMITS

- a) The issuance of a permit by the Town Authority (Zoning Enforcement Officer or Building Inspector) is required prior to the commencement of construction or modification of any structure within the Town of Ossipee.
- b) There shall be no permit fee for the construction or modification of a property owner’s primary residence provided the value of materials for the project is less than or equal to \$2,500.00 (based upon average retail costs within 50 miles of the Town of Ossipee as determined by the Town Authority issuing the permit). A permit fee is due in accordance with the Town’s schedule of fees for the construction or modification of any structure where the value of the project’s materials exceeds \$2,500.

A **Motion** by Martin to accept Amendment No. 3 to Amend Section 24.1.1 Building and Zoning Permits as written. Legendre seconded.

**Discussion:**

Legendre commented local residents he has spoken with are opposed to having fees for non-residents verses primary residents.

Billings claimed discrimination and called on Attorney Sager to justify. Attorney Sager did not feel it was discrimination in the sense of the definition as it pertains to race, sex, religion, etc...

Billings stated just because someone is not a primary resident of Ossipee and want to do some work to their home, they would have to pay a fee and a resident does not.

Attorney Sager stated the state charges different rates for in-state verses out-of-state residents on numerous other types of permits. You might think is discrimination on a moral basis but on a legal basis not so much.

Board discussion ensued over whether the proposed ordinance was discriminating against anyone in town. Zavas noted the spirit of the ordinance is to assist people in their primary resident of Ossipee, it’s not made for second homes, and it’s not made to discriminate against people. The ordinance is here to benefit the people who make Ossipee their primary resident’s.

The Board asked McConarty how this change is going to help him do his job better and more effectively. McConarty explained most residents of Ossipee are great in seeking proper permitting. But there have been numerous accounts where permits were not asked for and these structures are in violation of zoning ordinance. This is a means of trying to track, stop and enforce any violators.

Marie McConarty was explaining how a neighbor of hers had built a shed, didn’t know he needed a permit. Found out after the fact he did not meet the setback requirements according to the zoning ordinances. He had to drag the shed back to meet the setback requirements...Billings intervened stating he does not believe the public is that stupid, that they cannot pick up a zoning book, look up an ordinance and follow it. It is the homeowner’s responsibility to know the zoning ordinances and if they don’t it’s their own stupidity if



they have to move something. Steve McConarty disagreed, because not everyone is going to pick up a zoning book, find an ordinance, and follow it. Board discussion ensued.

Zavas commented that people do not want to pick up a book this day in age and take 3 days to find the right zoning ordinance. People today, want quick answers and they want it now.

Martin noted she has heard several Board members refer to citizens of Ossipee as “stupid” and find it a front. It’s poor of this Board to call anyone stupid. People don’t always understand, or the time to read through the zoning ordinances. They want to go somewhere, get the right answers and we’re to help them.

Otterbach, Billings and Barron noted they did not call people stupid.

Billings called for a vote.

A vote by show of hands **in Favor** were Otterbach, Legendre, Martin, Zavas and Gillette of passing Zoning Ordinance 24.1.1 as written by Attorney Sager. **Opposed** - Barron and Billings. **Motion passed by the Planning Board 5 – 2.**

Attorney Sager noted the revision are unchanged.

Billings closed the Public Hearing at 7:55 PM

Billings and Barron asked and requested Attorney Sager for it to be noted on the Warrant Articles, what the final vote was from the Planning Board. Attorney Sager stated if the statute allows it, he will have it added.

### **Regularly Scheduled PB Meeting**

**Meeting Minutes:** the Meeting Minutes from 01/02/2018 were reviewed.

A **Motion** by Barron to approve the minutes of 01/02/2018 Planning Board meeting. Martin seconded. No discussion. All others voted in favor by show of hands. Zavas abstained.

### **Financial:**

- Budget Report – December 2017
- Sager & Smith, PLLC – Planning Board v. Morse (gravel pit) - \$6,874.25 – December 2017 statement.
- Sager & Smith, PLLC – Invoice dated 01/11/2018 received for Planning Board regarding General Matters in the amount of \$945.00.
- Sager & Smith, PLLC – Invoice dated 01/11/2018 received for Planning Board regarding Ossipee Transition House in the amount of \$52.50.

A **Motion** by Billings to approve payment in the amount of \$945.00 and \$52.50 to Sager & Smith, PLLC. Martin seconded. No discussion. A unanimous vote was taken in favor by show of hands

### **Unsatisfied Conditions:** (continued from previous PB Mtgs):

- See separate sheet with details.
- Letter from Fire Chief Huddleston received 01/16/2018.

A **Motion** by Billings to keep Verizon/ H&R Block on the list of unsatisfied conditions until the Fire Chief submits a letter confirming all conditions on his letter date 01/15/2018 have been met. Otterbach seconded. A brief discussion, concerning the fire wall and if a temporary permit had been issued. No further discussion. A unanimous vote was taken by show of hands.

### **New Business:**

- **Case # 17 – 3 – BLA:** Neil & Catherine Munro & Marcel & Debra Beaulieu. 163 & 167 Ossipee Mountain Rd. Tax Map: 64 Lot: 4 & 5 is seeking a Boundary Line Adjustment to correct encroaching improvements of one applicant upon another. **Waiver Request as follows:**
  1. 9.04 A: Submitting a mylar at time of application
  2. 9.04 P: Wetland delineation and Impact Study
  3. Checklist item: Soil test pits
  4. Checklist Item: Topographic Contours

Bryan Berlind of Land Technical Service Corp. submitted revised plans to the Board and presented the application for Boundary Line Adjustment for Munro & Beaulieu. The applicants agree to exchange an equal are of land, so there is no change to the lot areas or road frontage.

Mr. Munro found out in 2017 that his house and driveway are partially over the lot line encroaching upon Beaulieu. The adjustment of a total of 6,007 square feet corrects that condition and brings the Munro home into conformity with the zoning setbacks. Berlind read through the waivers the applicants are requesting.

A **Motion by Billings** to accept the application for Boundary Line Adjustment for Neil & Catherine Munro & Marcel & Debra Beaulieu. 163 & 167 Ossipee Mountain Rd. Tax Map: 64 Lot: 4 & 5 with the Exception of the waiver for the Mylar print which is a requirement for a complete application. Zavas seconded. No discussion. A unanimous vote taken by show of hands to conditionally accept the application.

Waiver Requests:

1. 9.04 A: Submitting a mylar at time of application - conditional
2. 9.04 P: Wetland delineation and Impact Study

A **Motion** by Billings to approve the waiver for 9.04 P: Wetland delineation and Impact Study. Barron seconded. No discussion. A unanimous vote was taken in favor by show of hands

3. Checklist item: Soil test pits

A **Motion** by Billings to approve the waiver for Checklist item: Soil test pits. Barron seconded. No discussion. A unanimous vote was taken in favor by show of hands

4. Checklist Item: Topographic Contours

A **Motion** by Billings to approve the waiver for Checklist Item: Topographic Contours. Barron seconded. No discussion. A unanimous vote was taken in favor by show of hands

Billings questioned the chain of deeds and if it was recorded. Berlind demonstrated it was recorded.

A **Motion** by Billings to Conditionally Approve the application for Boundary Line Adjustment for Neil & Catherine Munro & Marcel & Debra Beaulieu. 163 & 167 Ossipee Mountain Rd. Tax Map: 64 Lot: 4 & 5 pending the final plans and mylar print which is a requirement. Martin seconded. No discussion. A unanimous vote was taken by show of hands.

### **Old Business:**

- **Morse Pit discussion** – Pending legal process of Original Reclamation plan and Court Order.

### **Notices:**

- Town Report material due by January 26, 2018.
- White Mtn. Survey submitted a revised copy of “Plan of Land prepared for Cheryl L. Wilson Living Trust, Cheryl L. Wilson Trustee.” Board discussion over what changes were made. The Planning



Board instructed the secretary to notify White Mountain Survey & Engineering requesting a letter detailing the changes made to the plans.

**ZBA Notices:** Chairman Billings read decisions to the Board.

- **Case#17-13-V: Timothy & Deborah Regan** c/o Mark McConkey, Representing Agent for 8 Frost Rd. Tax Map: 66 Lot: 53 was GRANTED a Variance from Article 6.4.2 (side setback) of the Ossipee Zoning Ordinance to demo the existing cottage and replace the same size building in a more compliant location.
- **Case #17-12-V: Ossipee Granit Recovery, LLC**, owner 56 Main Street Ossipee, LLC, of Tax Map: 92 Lot: 122 was DENIED a Variance from Article XXXIV, Section Table – 1 Chart of Uses to open a Sober Living Facility/Transition Home called Ossipee Granite Recovery/Transition House.

### **Any Other Business Which May Come Before This Meeting**

Steve McConarty had several issues and updates to discuss with the Board as follows:

1. **Tony Ouellette – Ossipee Mountain Grille**, 1625 Route 16, came before the PB on 10/03/2017, wanting to build a clam-shell type structure for Live Acoustic Music.
  - a. McConarty noted the area is fenced in. According to the drawing submitted at the time of the informal discussion with the PB, the fence is 7 feet in height, which now classifies it as a structure, according to OZO. As a structure, it requires a full (SPR) Site Plan Review. McConarty questioned if a SPR is required because the Fire Chief indicates the fence is not to code because there is no emergency access from outside the fence.

Billings stated the fence is included as part of the structure, if the fence is 6 feet. What happens inside the structure is the responsibility of the ZEO. The PB has no control of the interior of a structure. McConarty questioned if the measurement of the fence is from ground to top of post or the fence pickets. Board discussion and review of OZO for structure:

***ARTICLE XXXIII – DEFINITIONS: STRUCTURE: Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Structures include, but are not limited to, buildings, walls, mobile homes, fences exceeding six (6) feet in height and bill boards. It shall not include minor installations such as mailbox, flagpole and fences or walls less than six (6) feet high. (Amended March 11, 1997)***

Billings noted since the fence is (6) feet it is part of the structure. McConarty was advised to pull the original site plan for the property and the fence require by the State Liquor Commission, and go from there.

- b. McConarty was seeking clarification from the PB, if they approve of Ossipee Mtn. Grill having live acoustic music. Billings noted it's inside the structure he felt it was okay because the fence is 6 feet. Some Board members commented the fence does not exceed 6 feet; it is 6 feet in height.
- c. McConarty questioned, if the fence is part of the structure is this area meeting setbacks or are they being infringed upon. Billings stated he is meeting all the setbacks right now. McConarty commented these are the situations; he is coming up against and is looking to the Planning Board for clarification. Zavas commented to obtain a State Liquor License and determining seating, outdoor seating does not factor because it's not considered part of the structure. Board members agreed it's not part of the structure because it's not over 6 feet. Otterbach commented, he thinks the actual definition of fencing is the fence structure itself, not including the post. Martin stated the fence is not a structure because it's not over 6 feet.

McConarty is going to pull the file for the prior SPR, re-measure the fence, and bring to the next meeting. The Fire Chief can submit a letter to the Board with his concerns.

2. Apartment house on Route 16B – McConarty noted work is underway and question how long ago was it abandoned. Board discussion ensued and McConarty is find out when the water was turned off because that when it would be classified as abandoned. If it's greater than two years, a site plan review is required.
3. Hitching Post Store owner will be coming in for an Informal Discussion with the Planning Board because he wants to add another 10 – 12 units. Billings noted he will need a Site Plan Review.
4. Dawson/Laundry Mat: McConarty state Jake Dawson will be coming in for a Site Plan Review. Billings stated because he rented out the former Dry-Cleaning side of the building there is a change of use.

Zavas questioned the status of Valley Point because it's still on the list of Unsatisfied Conditions. Because he has heard that possibly parts of the building is being rented out to an Autobody shop, Yard-sale/Consignment type shop. McConarty will look into what's going on there. The Board noted no construction was to take place until all permits were acquired. The Board noted the deadline of the Variance approval expired July 2017. Since the permitting process is ongoing, they do not need an extension on the variance.

**Adjournment:**

A **Motion** by Barron to adjourn the meeting. Legendre seconded. No further discussion. A unanimous vote was taken. The meeting adjourned at 8:38 PM.

Next Meeting: **February 6, 2018 @ 7:00 pm**

Minutes approved by majority vote of the Board on –

\_\_\_\_\_

Date

\_\_\_\_\_  
Condict (Connie) Billings,  
Planning Board Chairman

Or

\_\_\_\_\_  
Roy Barron,  
Planning Board Vice – Chairman  
*(In the absence of the Chairman)*

## Unsatisfied Conditions

Board	Date	Applicant	List of Conditions
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #1: Written proof of who is <b>responsible</b> for the clean-up of offsite drinking wells both private and public with proof on the means to do so <b>Pending</b>
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #2: All excavation shall be under the supervision of NHDES with continued testing being done to prove that no new contamination is present. <b>Pending</b>
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #3: All contaminated soils shall be removed from the site and safely disposed of per NHDES regulations. <b>Pending</b>
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #4: No new construction of any buildings shall begin until the entire site is deemed safe and clean of all contamination. <b>Pending</b>
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #5: Plans that show the prevention of further groundwater contamination. <b>Pending</b>
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #6: Plans for groundwater contamination monitoring shall continue until NHDES reports the site is safe and all drinking wells are clean for a time line as set by NHDES per the Petroleum Fund Regulations or 5 (five) years <b>whichever</b> is greater. <b>Pending</b>
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #7: Proof of State approval of the <b>water well</b> and septic system. <b>Pending</b>
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #8: All permit/ <b>approvals</b> of Federal, State and Local shall be in place before any construction begins. <b>Pending</b>
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #9: No salt to be used for snow and ice removal. <b>Pending</b>
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #10: All construction shall be materially of the latest design. <b>Pending</b>
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #11: All Federal, State and Local Regulations <b>shall be</b> followed. <b>Pending</b>
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #12: Site shall be developed as per site plans approved by this Planning Board. <b>Pending</b>
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #13: Any spills, <b>requiring notification of NHDES, per NHDES rules, shall result</b> in the evacuation of the Oil and Water Separator <b>system and shall be</b> cleaned semi-annually. <b>Pending</b>
PB	11/21/2017	Verizon/H&R Block c/o Dave Poulin	SPR granted pending remaining conditions: #1: Official Letter from Fire Chief approving the plan. <b>Received 01/16/2018 Pending final official letter from Fire Chief.</b>
PB	12/05/2017	Hutton Partners /O'Reilly Auto Parts	SPR granted pending remaining conditions: #1: Pending all <b>Federal</b> , State and Local Permits accepted and approved by the State and Town. <b>Pending</b>
PB	12/05/2017	Hutton Partners /O'Reilly Auto Parts	SPR granted pending remaining conditions: #2: Pending all <b>Federal</b> , State and Local Permits accepted and approved by the State and Town. <b>Pending</b>
PB	12/05/2017	Hutton Partners /O'Reilly Auto Parts	SPR granted pending remaining conditions: #3: All Federal, State and Local Regulation shall be followed. <b>Pending</b>