

**OSSIPEE PLANNING BOARD
MEETING MINUTES
August 21, 2018**

Minutes recorded by and summarized by Laura Nash, Planning Board Secretary, amendments are noted in ***bold & italic*** type.

REGULAR PUBLIC MEETING

Call to Order: Vice Chair Roy Barron called the meeting to order at 7:00 PM.

Pledge of Allegiance: was recited by all in attendance

PB Attendance by Roll Call: – Roy Barron-Vice Chair, Martha B. Eldridge-Selectmen's Rep., Dennis Legendre, Tim Otterbach, Rick St. Jean, and Steve McConarty (ZEO).

Absent: Connie Billings-Chairman Late Arrival: Peter Zavas at 7: 12 PM

Meeting Minutes: Review to approve Meeting Minutes of 08/07/2018.

A **Motion** by St. Jean to approve Planning Board minutes of August 7, 2018. Eldridge seconded. No further discussion. All others voted in favor by a show of hands. Otterbach abstained since he was not at that meeting. **Motion passed.**

Financial:

- Sager & Smith, PLLC – Planning Board v. Morse (gravel pit) - \$6,874.25 – July 2018 statement.

The Board discussed the status of this account concerning if the Board is being charge for maintaining this account. Questioned if the judgement is still valid and voiced their concern over the length of time this is taking to resolve.

A **Motion** by Otterbach to send a letter to Attorney Sager inquiring on the status of the judgement made on this case, what the next step is and when can we get this resolved. St. Jean seconded.

Board discussion involved noting the site has been inspected and the Board has deemed the site as inoperable, and it's the attorney's decision on the recourse. Barron requested his comments be included in the letter.

The motion was made and seconded. No further discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

Unsatisfied Conditions: (continued from previous PB Mtgs):

- See separate sheet with details.

Legendre asked if there has been any updates from White Mtn. Survey & Engineering on the Valley Point project. No updates have been received and last word was pending state approvals.

PUBLIC HEARING

New Business:

- **Case # 18-1-SPRA:** Hobb's Brewing Company, owner – Mountain Grainery, LLC of 755 White Mtn. Hwy/Route 16. Tax Map: 130 Lot: 009 is requesting a continuance until the September 4th, Planning Board meeting to a lot more time for the subsurface approval to come from NHDES.

A **Motion** by St. Jean to approve the request for continuance until September 4, 2018 Planning Board meeting. Legendre seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

- **Case #18-2-SUBD** by Van E. Hertel, Sr. of 95 Blake Hill Rd. Tax Map: 223 Lot: 003 was **Granted** a **Conditional Subdivision** approval to subdivide 65 acres into 4 lots with the following conditions:
 1. Revise plot plan - [received](#)
 2. Document Cemetery and cemetery right of way access on revised plot plan. [Received](#)
 3. Add required second line to signature block on revised plot plan. [Received](#)
 4. Fire Chief's Official letter – [Received tonight](#)
 5. Boundaries pinned - [Received](#)
 6. All Federal, State and Local Regulations shall be followed.

A **Motion** by St. Jean to approve the final subdivision with condition met. Eldridge seconded.

Discussion and review of revised plans ensued.

No further discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

- **Case#18-4-SPR, John W. Dawson, Jr.,** owner – of 80 Route 16B. Tax Map: 93 Lot: 015 was GRANTED a Conditional Site Plan Review from Article 34.2.n, to allow rental of a portion of his building to a landscape company. Per Danny Fischbein phone call, Ash is requesting a continuance until the September 4th, Planning Board meeting to address the letter received addressing the following conditions.

Conditional Approval pending the following conditions:

1. NHDOT Curb Cut approval
2. Ossipee Water & Sewer approval
3. Official Fire Chief Letter of Inspection approval.
4. Lighting plan added to design plan
5. Variance approval by ZBA
6. Shall comply with All Federal, State, and Local Regulations and Ordinances.

A **Motion** by St. Jean to approve the request for continuance until September 4, 2018 Planning Board meeting. Eldridge seconded.

St. Jean wanted to address a couple of issues he has with the case but since the applicant nor his representing agent are present, the discussion was halted. Zavas questioned condition # 5. He does not remember adding that when he made his motion. The Board agreed as it's covered within condition # 6. With no further discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

Old Business:

- Morse Pit: – Status Quo pending legal process of Original Reclamation plan and Court Order.
- Gravel Pits:
 1. Letter sent to Ambrose Bros. on 08/10/2018
 2. Application received 08/14/2018 for the former Gary Coyne gravel pit. On the schedule for September 4th Planning Board meeting.
- Master Plan: not discussed.

Notices: Barron acknowledged and read the notices.

- Letter from ZEO to PB dated 08/15/2018.

McConarty explained the situation to the Board. The Board members discussed the fact that no one member of the Planning Board can make a decision without a majority vote before the entire Board and no member of the Board can override a decision of the Zoning Enforcement Officer.

A **Motion** by St. Jean to send a letter to the owners of Riding Auto requesting they come before the Planning Board for an Informal Discussion and to inform them of the rule of the Planning Board as previously stated. Legendre seconded. No further discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

- NHDOT – Melvin Village Marina, Tax Map: 250 Lot: 007 is be sited for Sprinkler System in the Right-of-Way of Route 16.
- NHDOT – 760 White Mountain Hwy, LLC, (Ossipee Marina) Tax Map: 250 Lot: 005 is be sited for Sprinkler System in the Right-of-Way of Route 16.
- NHDOT – Mountain Grainery, LLC, Tax Map: 130 Lot: 009 is be sited for Sprinkler System in the Right-of-Way of Route 16.

ZBA Cases heard on 08/14/2018:

- Case #18-10-V: Charles Ash Fischbein c/o White Mtn S & E - 146 Moultonville Rd. Tax Map: 090 Lot: 045 is requesting a Variance from Article 6.4.2A – Side Setbacks of the Ossipee Zoning Ordinances to build a 10 ft. X 16 ft. deck. (Continuance granted until September 11, 2018 ZBA Meeting.)
- Case # 18-11-V: Rand Realty. LLC c/o White Mtn S & E – 50 Leavitt Rd. Tax Map: 033 Lot: 006 was GRANTED a Variance from Article 6.4.2A – for relief of side setbacks of the Ossipee Zoning Ordinances to build a 30 ft. X 35 ft. home with a 35 ft. X 25 ft. garage attached by a 16 ft. deck.
- Case #18-1-EWDR: Allen Cumings c/o McConkey & Associates – 5 Patriots Way. Tax map: 044 Lot: 024 was GRANTED an Equitable Waiver of Dimensional Requirements to retain a garage in place that does not meet the Towns sideline setback requirements per plans submitted, dated and signed by Chairman Brothers on 08/14/2018, shall comply with RSA 674:33 (a) I & II and all Federal, State and Local Regulations.
- Ossipee Granite Recovery: filed a Motion for Clarification concerning the variance condition for the stockade fence to be placed on the property. The ZBA voted to uphold its decision and clarified a stockade fence shall be erected the length of the property and between the facility and the neighboring school property.

Any Other Business Which May Come Before This Meeting:

No other business was brought before this Board's attention.

Adjournment:

A **Motion** by St. Jean to adjourn. Otterbach seconded. No discussion. A unanimous vote was taken by show of hands. **Motion passed.** Meeting adjourned at 7:41pm.

Next Meeting/Public Hearing: **September 4, 2018 @ 7:00 pm**

Minutes approved by majority vote of the Board on –

_____ Date

Condict (Connie) Chairman 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 responsible for the clean-up of offsite drinking wells both private and public with proof on the means to do so Pending
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. Pending
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. Pending
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. Pending
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #5: Plans that show the prevention of further groundwater contamination. Pending
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 whichever is greater. Pending
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #7: Proof of State approval of the water well and septic system. Pending
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #8: All permit/approvals of Federal, State and Local shall be in place before any construction begins. Pending
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #9: No salt to be used for snow and ice removal. Pending
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #10: All construction shall be materially of the latest design. Pending
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #11: All Federal, State and Local Regulations shall be followed. Pending
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. Pending
PB	06/06/2017	Valley Point, LLC	SPR granted pending remaining conditions: #13: Any spills, requiring notification of NHDES, per NHDES rules, shall result in the evacuation of the Oil and Water Separator system and shall be cleaned semi-annually. Pending
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. Pending final inspection letter from Fire Chief 05/25/2018 – Certified letter sent requesting an update of Fire Chief's condition for a full fire alarm system.
PB	06/05/2018	Mountain Grainery, LLC	SPRA granted pending remaining conditions: #2: NHDES Subsurface Disposal Permit for the Commercial Septic System.
PB	07/17/2018	Van Hertel, Sr.	SUBD granted pending conditions: # 1: Revise plot plan to include documentation of Cemetery and cemetery right of way access on revised plot plan. Revised plans received 08/08/2018
PB	07/17/2018	Van Hertel, Sr.	SUBD granted pending conditions: #2: Add required second line to signature block Revised plans received 08/08/2018
PB	07/17/2018	Van Hertel, Sr.	SUBD granted pending conditions: #3: Fire Chief's Official letter
PB	07/17/2018	Van Hertel, Sr.	SUBD granted pending conditions: #4: Boundary Corners pinned. Revised plans received 08/08/2018
PB	07/17/2018	Ossipee Granite Recovery Ctr	SPR granted pending remaining conditions #1: Official Fire Chief letter
PB	07/17/2018	Ossipee Granite Recovery Ctr	SPR granted pending remaining conditions #2: Official letter from the Water & Sewer dept.
PB	07/17/2018	Ossipee Granite Recovery Ctr	SPR granted pending remaining conditions #3: NHDOT Driveway permit approval
PB	07/17/2018	Ossipee Granite Recovery Ctr	SPR granted pending remaining conditions #4: Removal of existing fence
PB	07/17/2018	Ossipee Granite Recovery Ctr	SPR granted pending remaining conditions #5: A new 6 ft. stockade fence shall be erected between the facility and the School property along own boundary line.
PB	07/17/2018	Ossipee Granite Recovery Ctr	SPR granted pending remaining conditions #6: Revise plan to include a bus loading and unloading area and parking.
PB	08/07/2018	John W. Dawson, Jr/Laundry Mat	SPR granted pending remaining conditions #1: Curb Cut approval from NHDOT
PB	08/07/2018	John W. Dawson, Jr/Laundry Mat	SPR granted pending remaining conditions #2: Official letter from the Water & Sewer dept.
PB	08/07/2018	John W. Dawson, Jr/Laundry Mat	SPR granted pending remaining conditions #3: Official Fire Chief letter
PB	08/07/2018	John W. Dawson, Jr/Laundry Mat	SPR granted pending remaining conditions #4: Lighting Plan on Design Plan dated 07/16/2018 on aerial plan and interior plan dated 06/16/2018.
PB	08/07/2018	John W. Dawson, Jr/Laundry Mat	SPR granted pending remaining conditions #5: Variance approval by ZBA
PB	08/07/2018	John W. Dawson, Jr/Laundry Mat	SPR granted pending remaining conditions #6: Shall adhere to all Federal, State and Local Regulations & Ordinances.