

**OSSIPEE PLANNING BOARD
MEETING MINUTES
November 15, 2016**

Minutes recorded by Laura Nash, Planning Board Secretary; amendments are noted by ***bold/italic*** type. Live Recording of meeting can be found on <http://www.governmentoversite.com>.

Call to Order: Ski called the meeting to order at 7:02 p.m.

Attendance by roll call: Ski Kwiatkowski - Chairman, Connie Billings – Vice Chairman, Bob Gillette, Roy Barron, Dennis Legendre, Frank Riley, Bruce Parsons, and Steve McConarty (ZEO). **Absent:** Rick St. Jean

Meeting Minutes: Review to approve Meeting Minutes of November 1, 2016.

Motion: by Roy B., seconded by Dennis L., to approve the minutes of November 1, 2016.

Discussion: Connie B., questioned the recording of the 2017 budget amount approved. Clarification was provided and Connie was satisfied. Roy B., questioned the phrasing on page 2, paragraph 2 stating, “PB did agree the new revision should state: “must meet subdivision regulations, all setback regulations, and access road/driveway frontage regulations and ...” Roy B., stated you can’t have both. Correction was made by adding a comma. “PB did agree the new revision should state: “must meet subdivision regulations, all setback regulations, ***and access road, driveway, or frontage regulations*** and ...”

All voted in favor of approving the minutes by show of hands, motion passed.

Unsatisfied Conditions: (continued from previous PB Mtgs) NO UPDATES

Board	Date	Applicant	List of Conditions
PB	11/03/15	LBWD	Ltr stating manufacturing/light industry only. – To be sent by PB
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: Pending #1: Water Supply Approval
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: Pending #2: Subdivision Approval
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: Pending #3: NHDES Septic Approval

Informal Discussion:

(Informal discussions are non-binding, any comments or discussion heard, are non-binding on either party.)

- **Carroll County Construction:** Nick (**Le Guinness**) here for owners who want to expand to the right on Ossipee House of Pizza, 674 Route 16, and Tax Map: 259 Lot: 001, property owned by Phil & Dee Kitsios Realty Corp. Wanting to add 2 - office spaces, roughly 800 to 1000 sq. ft. each by removing the old burnt down buildings, and replacing with addition and landscape. PB discussion ensued over meeting rear setbacks, status of current site plan. Roy B., stated per Zoning Ordinance 4.2 – Fire Ruined Buildings, “No owner or occupant of land in any district shall permit fire or other ruins which are uninhabitable to be left indefinitely, but within two (2) years shall remove or refill the same to clear ground level or shall repair, build or replace the structure.” Nick was advised to apply for a Minor Site Plan Review – Amendment.

- **Jake’s Seafood, Co. LLC. & Explore Winter Gardens, LLC.** – Property owner Alan Prentice was here to discuss Outdoor Event for Winter Gardens trail. Located at 2055 Route 16 - Tax Map: 25 Lot: 30. Before Alan Prentice presented his idea to the PB. Connie B., informed Mr. Prentice since he has no current Site Plan Review for Explore Winter Gardens and cannot apply for an amendment incorporating Jake’s Seafood because they are two separate businesses. He was advised to apply for an amendment solely under Jake’s Seafood or apply for a full Site Plan Review under Explore Winter Gardens. Discussion ensued over ZO 35.2 (a) with general PB consensus it would not apply in this situation. Alan Prentice was advised to provide plans drawn to scale on no less than 11 x 17 paper, identifying the requirements listed on the SPR

application and instructions. PB discussion then ensued over when to come back to present his SPR for approval. Laure N., informed the PB, Mr. Prentice has already supplied the office with his application, abutter's mailings, etc... Mr. Prentice only needs to provide is the plan drawn to scale. Case is scheduled to be heard on December 6, 2016.

Motion: by Connie B., to accept the application as complete except for the plans drawn to scale (to be provided at hearing), to be continued on December 6, 2016, seconded by Frank Riley. **All voted in favor by show of hands.**

Old Business:

• **Plan NH – Accessory Dwelling Units (ADU's):** Status update – Ski K., turned the discussion over to Bob G., who provided a list of suggestions and update which included:

- 1) Conference call with Rick Sager - Attendees were: Ski K., Bob G., Roy B., Rick St. Jean, Laura N., and Dennis L (arrived towards the end of the call). Addressed how to approach incorporating RSA 674:71, 72 & 73. Bob stated per Rick Sager, the board must specify which parts of the law are to be incorporated into the ZO.
- 2) Add definition of Accessory Dwelling Unit to the ZO.
- 3) Suggested making two separate ZO amendments. 1. To address attached ADU and 2. To address detached ADU's.
- 4) NHMA suggest spelling out the terms and conditions for the citizen, who may want to build and ADU. Example of a ZO is on page 4 of the NHMA, September 2016 publication.
- 5) Proposed Zoning Ordinance in 2 parts (**for discussion only**). If both were to be adopted it would require only 1 ZO change.

A. **Purpose:** To expand the availability of affordable housing.

B. **Definition: 674:71 Definition. –**

As used in this subdivision, "accessory dwelling unit" means a residential living unit that is within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies. **Source.** 2016, 6:2, eff. June 1, 2017.

C. **Provisions:** Amendment I: for attached ADU - 674:72 –

- i. Is permitted provided that it shares a common wall between the principal dwelling unit and the ADU.
- ii. No more than one (1) attached ADU can be constructed to the primary residence.
- iii. Does not exceed the square footage of the primary residence or to use language similar to our current ZO of not exceeding 1,000 sq. ft.
- iv. Complies with setbacks and impervious surface requirements. Does not increase the non-conformance of an existing non-conforming lot
- v. An interior door should connect the ADU and primary residence by State Law
- vi. ADU should have at least on (1) or maybe two (2) off-street parking spaces
- vii. Comply with State Law for provisions for water supply, sewage disposal, ...
- viii. Occupant of either the principal dwelling or the ADU must be the owner of the entire property

D. Amendment II: for detached ADU – 674:73 –

- i. A parcel of the land occupied by the principal dwelling unit, must be a single family home, meets minimal lot size in the applicable zone and does not increase non-conformance.
- ii. ADU does not increase the non-conformance of a non-conforming lot
- iii. No more than one (1) un-attached ADU can be construct in the same part of the land

- iv. Complies with setbacks and impervious surface requirements.
 - v. ADU should have at least on (1) or maybe two (2) off-street parking spaces
 - vi. Comply with State Law for provisions for water supply, sewage disposal, ...
 - vii. Occupant of either the principal dwelling or the ADU **must** be the owner of the entire property
 - viii. Sale or ownership of un-attached ADU, separately from the principal residence is prohibited.
- 6) Board to attend Eastern Lakes Region Housing Coalition ADU education forum on November 29th at Sunny Villa.
- 7) At December 6th PB meeting come up with a definitive proposed ZO to take to the voters in March.

PB discussion: Individual members expressed concerns and questions pertaining to subdivision, lot and/or ADU size. Discussion also identified manufactured/mobile homes criteria's, construction, age, conditions, allowable or not, etc... All discussion is left open until after November 29th ELRHC meeting.

- **Master Plan 2016 Revision** – Work Group Committee: Bob Gillette, Rick St. Jean, and Dennis Legendre: *Status Quo – members were not able to meet to work on project.*
- **Jones & Beach Engineers, Inc.** invoice = \$6,679.75: *Ski provided update to PB from previous conversation with Rick St. Jean.* Rick St. Jean *had spoken* with Jones & Beach and received an explanation to *the increased charges* above the contracted \$4500.00. PB discussion over how to proceed was heard.

Motion: by Connie and seconded by Bob G., for PB to send a letter to Jones & Beach Engineering stating the PB position. **All voted in favor by show of hands. Motion passed unanimously.**

New Business:

- **Budget & Revenue Report** – 11/01/2016 – 11/04/2016
 - **Land Tech:** RE: Plan of Land/ Geraldine D. Smith Conservation Trust, Recorded with CCRD BK 237 PG 43 – submitted for FYI purposes per RSA 676:18 IV.
 - **Site Plan Review:** update to application and instructions to include Amendments for Outdoor Events. Laura N., due to recent changes to permitting policies within the town and currently having multiple versions of the Site Plan Review (SPR) application. It was recommended to consolidate and create one application. The new SPR application would contain check boxes to designate for Major Project, Minor Project, Amendment and Change in Use for Outdoor Events. Also to address application fee.
- PB discussion** ensued. Consensus is to have a separate application for Amendment to SPR for Outdoor Event.
- Discussion ensued over application fee. Per the RSA the Town can charge up to \$300.00. PB consensus was to keep it the same.
- Motion:** by Connie B., and seconded by Ski K., to keep the application fee at \$75.00 for all SPR applications.
- Open Discussion:** Discussion between Roy B., and Connie B., ensued over to justify charging a fee. It was determined that the administrative process is the same for all SPR applications and charging the same fee was appropriate.
- In favor** were Ski K., Connie B. Bob G., Frank R., Dennis L., and Bruce P. **Opposed:** Roy B. **Motion passed 5 – 1.**
- Motion:** by Frank R., and seconded by Ski K., to consolidate all three SPR applications and create a check list to direct which type of application applying for and to apply N/A when not applicable.
- Discussion:** PB addressed the need to consolidate verses keeping separate forms was heard.
- All in favor by show of hands. Motion passed unanimously.**

Any Other Business Which May Come Before This Meeting

Connie B., addressed the following ZO Articles:

35.1(a), (1), (2) Residential Uses – when ADU is adopted these articles will need to be rewritten.

9.5 EXPIRATION OF APPROVAL

If the industrial use has not commenced within one ~~(1) year~~, (2) years, the approval for such use shall be null and void.

9.6 DISCONTINUANCE; EFFECT

If the Industrial use is discontinued for one ~~(1) year~~, (2) years, the land reverts back to the original Zoning District.

Both of these ZO need to be changed to reflect State Law of two (2) years, not one (1) year.

Connie B., also provided an example of a Public Hearing Notice. PB consensus was they approved of the format.

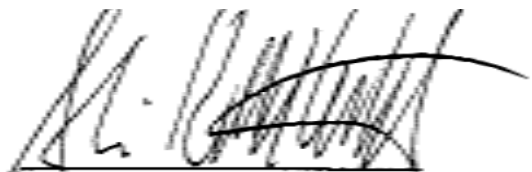
Adjournment

Motion: by Roy B., seconded by Dennis L., to adjourn the meeting.

All in favor by show of hands, motion passed. The meeting adjourned at 8:25 p.m.

Next Meeting: December 6, 2016 at 7:00 p.m.

Minutes approved by majority vote of the Board on – 12/6/2016
Date

A handwritten signature in black ink, appearing to read 'Ski Kwiatkowski', written over a horizontal line.

Ski Kwiatkowski, Chairman