

**OSSIPEE PLANNING BOARD
MEETING MINUTES
October 3, 2017**

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

A minute of silence was observed in memory of those who lost their lives and fighting for their lives in the Las Vegas shooting.

Attendance by Roll Call: – Connie Billings-Chairman, Roy Barron-Vice Chair, Rick Morgan-Selectmen's Rep., Dennis Legendre, Tim Otterbach, and Rick St. Jean (Alternate)

Tardy: Peter Zavas **Absent:** Steve McConarty (ZEO).

Meeting Minutes: the Meeting Minutes from 9/19/2017 were reviewed.

A **Motion** by Barron to approve the minutes of 9/19/2017 Planning Board meeting. Otterbach seconded. No further discussion. Abstained was Martin and Gillette because they were not present for that meeting. All others voted in favor by show of hands.

Financial:

- 2018 Proposed Planning Board Budget – Billing's recalled from the last meeting wanting to increase the secretary's wages to \$10,000, FICA will be \$620.00 and Medicare will be \$145.00, telephone, Advertising, Office Supplies, Postage, Mileage, Education, Professional Fees, to remain the same, Lakes Region Planning Commission and Computer & Software are to be remove from the Planning Boards 2018 budget. The Board of Selectmen will assume the Lakes Region Planning Commission membership fee.

A **Motion** by Billings to approve the 2018 Proposed Planning Board Budget and submit to the Board of Selectmen. Barron seconded. No further discussion. A unanimous vote was taken by a show of hands.

Motion passed.

Zavas arrived at 7:07 PM.

Unsatisfied Conditions: (continued from previous PB Mtgs):

- See separate attached sheet for details.

Billings informed the Board that the owners of Northgate Ossipee did pay the \$4,500.00 to the Town of Ossipee for reimbursement of the Jones & Beach independent review back in March 2017. Apparently, there was confusion at the tax office as to where this amount was to be distributed. According to the Town Administrator, the situation is being rectified.

A **Motion** by Billings to remove item #4 for Northgate Ossipee, LLC in the amount of \$4,500.00 for reimbursement of the Jones & Beach independent review from the list of Unsatisfied Conditions. Barron seconded. No further discussion. A unanimous vote was taken by show of hands.

Informal Discussion:

- **Bobby Deyab – Deyab Electrical** is looking at 75 Main St. to open a retail store to sell generators and wife to sell T-shirts. Mr. Deyab did not attend this meeting as scheduled.
- **Philip Kitsios – Ossipee House of Pizza**, 674 Route 16, interested in creating some apartments.

Kitsios presented his intention to tear down five buildings, next to the pizza shop, that were previously involved in a fire in 2009 and build an apartment building with five apartments. Each apartment will be 2-story with 2 bedrooms.

The Board reviewed the Zoning Ordinances for the Corridor district and Multi-family dwellings. Kitsios was informed he will first need to apply for a variance with the ZBA because the property does meet the following requires:

1. Acreage requirement of 4.0 acres...this property has 2.4 acres.
2. Setback requirements
3. Protective radius for water supply. Needs to speak with Zoning Enforcement Officer.

Kitsios was also informed if the ZBA grants a variance; he will then need to apply to the Planning Board for a Site Plan Review.

- **Tony Ouellette – Ossipee Mountain Grille**, 1625 Route 16, wants to build a clam-shell type structure for Live Music.

Ouellette present his idea to build an 8 ft. X 8 ft., 3-sided, clam shell type structure to have live acoustic entertainment while people are dining. The structure will have no floor and will be within the fenced area behind the restaurant. Music would be on the weekends, acoustic guitar with one small amp only – no bands.

Discussion and concerns over Outdoor Events, Music Entertainment near residential areas, and classification of a structure. Discussions from previous cases was brought up and Billings, Barron and Zavas agreed that each case is based on its own merits and will not have any reflection on this case. Billings suggested putting this discussion on hold until the October 17th Planning Board meeting when the Zoning Enforcement Officer can be present for discussion.

New Business: None

Old Business:

- **Morse Pit discussion** –

Billing's spoke with Attorney, Rick Sager to return to court and have the Morse Brother's, David Morse and Andrew Morse be held in Contempt of Court and for the Planning Board to Reclaim the Morse Pit as per Reclamation Plan. Attorney Sager will be contacting the Planning Board secretary to obtain information.

- **Projects 2017:**

1. **Zoning Ordinance Revisions:** Pending wording changes for:
 - a. 4.9 – pending wording from Steve McConarty
 - b. 24.1.1 - pending wording from Steve McConarty
 - c. SPR Amendments – determine square footage limits for a permit vs. a SPR – Amendment

requested by Steve McConarty

- d. Accessory Building: New Ordinance request by Steve McConarty

2. Site Plan Regulations:

Notices and Publication: N/A

Any Other Business Which May Come Before This Meeting

- Bob Gillette: Billings asked Gillette under whose authority gave him permission to speak for the Planning Board with NHDES concerning the Valley Point project. Gillette explained the situation to the Board. But Billings, Barron and Martin explained to Gillette, he should have just redirected the NHDES representative to the Chairman. Billings noted the information Gillette emailed to NHDES was his own personal opinion and interpretation and does not reflect the decision of this Planning Board. Billings emphatically identified this is not the first time Gillette has over stepped his bounds as a member of this Board. Gillette asked when the other times were. Billings noted with LRPC and Martin noted with Dan Hole Pond Watershed Trust Gillette had taken it upon himself to speak with other groups as if he is representing the Planning Board.
- LRPC: Gillette noted he recently attended a Commissioner meeting and had submitted a summary for the Board. Martin asked who else is on the LRPC. St. Jean stated was but has not attended any meeting since the first one. Martin asked if he was wanting to resign and St. Jean replied yes. Martin asked him to submit an official letter of resignation, so the Planning Board can recommend an alternative and then the Selectmen can appoint an alternative. Legendre inquired if the next person has to be from the Planning Board. Billings replied he would have to look into that option.

Adjournment:

A Motion by Barron to adjourn the meeting. Martin seconded. No further discussion. A unanimous vote was taken.

The meeting adjourned at 7:50 p.m.

Next Meeting: **October 17, 2017 @ 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	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: #1: Water Supply Approval Letter received 09/11/2017 - Application submitted pending approval this month.
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: #2: Subdivision Approval Letter received 09/11/2017 - Application submitted pending approval of water supply this month.
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: #3: NHDES Septic Approval Letter received 09/11/2017 – Septic design to be submitted to Ossipee ZEO before the application is submitted to NHDES. Pending
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: #4: Reimbursement to Town of Ossipee for J&B - \$4,500.00 – Paid okay to remove
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