

**OSSIPEE PLANNING BOARD
MEETING MINUTES
January 2, 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, Dennis Legendre, Bob Gillette, Tim Otterbach, Sandra “Sam” Martin-Selectmen’s Rep., and Steve McConarty (ZEO).

Absent: Peter Zavas and Rick St. Jean.

Meeting Minutes: the Meeting Minutes from 12/19/2017 were reviewed.

A **Motion** by Barron to approve the minutes of 12/19/2017 Planning Board meeting. Martin seconded. No discussion. A unanimous vote was taken in favor by show of hands

Unsatisfied Conditions: (continued from previous PB Mtgs):

- **Case #16-3-SPR – Westward Shores Lakeside Camping Resort**, 110 Nichols Road, Tax Map and Lot: 29/1 – Dan Flores from SFC Engineering was seeking Final Site Plan Review Approval. Flores presented the changes to the plans and presented documentation to meet the (4) conditions.

Discussion: The Board addressed their questions and concerns of meeting flood regulations and permanent foundations for the recreational vehicles on the peninsula. McConarty noted no building permits are issued until all Federal, State and Local Regulations are met.

A **Motion** by Billings to granted Final Site Plan Review Approval to SFC Engineering for Westward Shores Campground. Barron seconded. No further discussion. A unanimous vote was taken in favor by show of hands

- See separate sheet with details, all other items are status quo.

Old Business:

- **Morse Pit discussion** – Pending legal process of Original Reclamation plan and Court Order.
- **Form Revisions:**
 - **Zoning Ordinance Revisions:** Finalize wording changes and schedule the Public Hearing:

A **Motion** by Billings to hold a Public Hearing on the Proposed Zoning Ordinance changes for **2018** on January 16, 2018 and if needed, to hold a 2nd Public Hearing on January 30, 2018. Martin seconded. No discussion. A unanimous vote was taken by show of hands.

- **Proposed Zoning Change to 24.1.1. BUILDING AND ZONING PERMITS**

Current Ordinance: 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)

Proposed Changes to 24.1.1 Building and Zoning Permits –

- Permits shall be required prior to any construction of any structure upon any land in the Town of Ossipee, including modifications to an existing structure. If inspections of work done are required by applicable code and if the assessed value of the property or structure is affected.
- There shall be no building permit fee's assessed to a property owner's primary residence in the Town of Ossipee, until the project's material value meets or exceeds the local (within 50 miles) average retail costs of \$2,500.00 as determined by the Town Authority issuing the permit (Zoning Enforcement Officer or Building Inspector).

Town Attorney Rick Sager suggests re-wording as follows:

- 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.
- 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.

Billings questioned "primary residence" in the second paragraph, noting what if the residence is not the primary is a permit required. McConarty replied, yes. A debate discussion ensued over classification of primary residence, primary verses second residence within Ossipee and fees.

A **Motion** by Gillette to accept Attorney Sager's legal wording of Zoning Ordinance 24.1.1 for Building and Zoning Permits. Otterbach seconded. Billings called for further discussion.

Billings and Barron spoke against the need to have a permit to do any construction or modification on their home.

Joe Deighan questioned why non-resident's who have a second home on the lake would not be considered a resident of Ossipee of their paying taxes for that residence.

Barron spoke against construction done on non-primary residences having to pay a permit fee. Discussion ensued.

Billings called for a vote by show of hands.

Otterbach, Legendre, Martin and Gillette voted in favor of passing Zoning Ordinance 24.1.1 as rewritten by Attorney Sager. Barron and Billings opposed. The **Motion passed 4 – 2.**

Important Deadlines/Meeting:

- **Friday, January 12, 2018** Last day to post and publish notice for first hearing on proposed adoption or amendment of zoning ordinance, historic district ordinance or building code if a second hearing is anticipated. [RSA 675:3; 675:7 – 10 clear days before 1/22/18]
- **Tuesday, January 16, 2018** Last day to publish notice, in a newspaper of general circulation in the town, for January 23rd session for checklist correction. [RSA 654:27; 669:5]
- **Monday, January 22, 2018** Last day to hold first public hearing on adoption or amendment of zoning ordinance, historic district ordinance or building code if a second public hearing is anticipated. [RSA 675:3 – 14 days prior to last date to hold public hearing on zoning/building/historic district ordinance amendment/adoption]
- **Thursday, January 25, 2018** Last day to post and publish notice of final planning board public hearing on proposed adoption or amendment to zoning ordinance, historic district ordinance or building code. [RSA 675:3; 675:7 – 10 clear days before 2/5/18]
- **Monday, February 5, 2018** Last day for planning board to hold final public hearing on adoption or amendment of zoning ordinance, historic district ordinance or building code. Planning board must also determine final form. [RSA 675:3 – one day before deadline for delivery of final zoning/building/historic ordinance ballot proposals to town clerk on 2/6/18]

Any Other Business Which May Come Before This Meeting

Ed Comeau suggested removing the \$25.00 fee for building permits.

Adjournment:

A **Motion** by Martin to adjourn the meeting. Barron seconded. No further discussion. A unanimous vote was taken. The meeting adjourned at 7:48 PM.

Next Meeting: **January 16, 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 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	SPR granted conditionally pending: #1: Official Letter from West Ossipee Fire Chief of final inspection. Pending