

**OSSIPEE PLANNING BOARD
MEETING MINUTES
March 20, 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, and Tim Otterbach, Martha B. Eldridge-Selectmen's Rep., Rick St. Jean and Steve McConarty (ZEO).

Absent –Peter Zavas

Chairman opened the public meeting.

Welcome Newly Elected Board Members: Billings welcomed the new Selectmen's Rep. Martha Eldridge and congratulated Roy Barron on his re-election.

Election of Chairman and Vice-Chairman:

A **Motion** by Otterbach to re-elect Conduct "Connie" Billings as Chairman of the Planning Board. Legendre seconded the motion. No discussion. All voted in favor by show of hands.

A **Motion** by Otterbach to re-elect Roy Barron as Vice-Chairman of the Planning Board. Legendre seconded the motion. No discussion. All voted in favor by show of hands.

Meeting Minutes: Review to approve Meeting Minutes of 03/06/2018.

A **Motion** by Barron to approve the minutes of 03/06/2018 Planning Board meeting. Legendre seconded. No discussion. All others voted in favor by show of hands. Martha Eldridge abstained since she was not in office at that time.

Unsatisfied Conditions: (continued from previous PB Mtgs):

- See separate sheet with details.
- Billings spoke directly to West Ossipee Fire Chief for his official letter for Verizon/H&R Block c/o Dave Poulin, who was granted a conditional SPR. According to the Fire Chief, Verizon/H&R Block is still pending a permit. Once it is received, he will conduct his final inspection and will send his letter to the Planning Board.
- Billings spoke with Jim Rines of White Mtn. Survey & Engineering on the permitting status of Valley Point, LLC. According to Rines, NHDES has approved the underground tank design but still pending NHDOT permits.
- **Case # 18-1-SPR:** 1314 NH Route 16, LLC. Authorized agent is Scott A. Lawler of Norway Plain Associates, Inc. Tax map: 99 Lot: 22, 1300 NH Route 16 receive a Conditional SPR pending the following conditions: Received 03/20/2018 Fire Chief's official letter but was not signed. Case to remain open until the signed letter is received.

Old Business:

- **Morse Pit discussion** – Secretary emailed Attorney Sager to provide an update for the next meeting on April 3, 2018.

New Business:

- Distribution of 2018 Land Use & Planning books were provided.
- Distribution of the Revised Site Plan Review Regulations were provided.
- **Gravel Pits:** A revised spreadsheet was provided to the Board members indicating the status of each pit. Billings informed the Board he went through the file to verify the dates and the spreadsheet was updated. Two pits permits have expired, one will expire this year and one is held up in the court system. Barron confirmed he has done a yearly site visit to each gravel pit. The Board will send a reminder letter to the gravel pits, who have expired or up for renewal.

- **Fence:** Chairman Billings provided a copy to each member present with the definition of a fence, as a starting point of discussion to address the issue of having a set standard for measuring the height of a fence.

Board discussion ensued with suggestions of what individual Board members wanted the ordinance to contain and not contain. Billings stated he wants a definition of a fence height to be measured 2-4 inches above the ground to top of the fence, not including the post. Barron wants the height requirement raised to 8 feet, instead of the current 6 feet.

Billings asked for ZEO - McConarty's input on this topic. McConarty asked the Board to leave well enough alone, there is no issue at this time. That this was only going to open a can of worms and more confusion for the Town's people.

Some discussion about other state and town standards for measuring a fence height is from ground level to top of picket. Nothing under 6 feet requires a permit. Any fence measuring from level ground to top of picket exceeding 6 feet is considered a structure. Fence structures shall require a building permit, and must comply with structure regulations and zoning ordinances for setbacks.

Board members will research fence standards, gather more information and measurements of standard picket height to bring to the next meeting for continued discussion.

- **Zoning Ordinance 25.3.3:** To revise the ordinance based on 2018 RSA changes as follows:

Current Ordinance: 25.3 PROCEDURES

25.3.3. MEETINGS AND HEARINGS: Meetings of the Board of Adjustment and public hearings on appeals being heard by the Board shall be held as required by the bylaws of the Board. The concurring vote of three (3) members shall be necessary to decide in favor of any appeal or to reverse any action appealed from (RSA 674:33 III). Notice of public hearing shall be given **at least five (5) days** before the hearing date, by **certified** mail to the appellant, abutters, and all property owners within two hundred **(200) feet of the boundaries** and by placing notice in a newspaper of general circulation, as required by RSA 676:7, and also be provided to the Board of Selectmen, Zoning Enforcement Officer and other Town Boards and Commissions. Cost of giving notice shall be borne by the person at the time of application. The Zoning Enforcement Officer, unless prevented by good cause, shall attend all hearings and shall present to the Board of Adjustment all plans, photographs or other factual material which is appropriate to an understanding of the appeal.

Proposed Changed: 25.3 PROCEDURES

25.3.3. MEETINGS AND HEARINGS: Meetings of the Board of Adjustment and public hearings on appeals being heard by the Board shall be held as required by the bylaws of the Board. The concurring vote of three (3) members shall be necessary to decide in favor of any appeal or to reverse any action appealed from (RSA 674:33 III). Notice of public hearing shall be given ~~strike (at least)~~ **(replace with) not less than five (5) days** before the hearing date, by ~~(strike) certified~~ **(replace with) verified** mail, **(add) as defined in RSA 451-C:1, VII** to the appellant, abutters, and all property owners within two hundred (200) feet **(add) radius** of the boundaries and by placing notice in a newspaper of general circulation, as required by **(add) RSA 676:7 (b)**, and also be provided to the Board of Selectmen, Zoning Enforcement Officer and other Town Boards and Commissions. Cost of giving notice shall be borne by the person at the time of application. The Zoning Enforcement Officer, unless prevented by good cause, shall attend all hearings and shall present to the Board of Adjustment all plans, photographs or other factual material which is appropriate to an understanding of the appeal.

A **Motion** by Billings to accept the changes to Zoning Ordinance 25.3.3 Meetings and Hearings as submitted. Otterbach seconded. Discussion: Barron questioned why the change. The secretary explained this is based on 2018 RSA changes and the need for the Town's Zoning Ordinance to comply with the State RSA's. With no further discussion. A unanimous vote was taken by show of hands.

- **Master Plan:** Billings opened discussion by stating he asked a couple of other Board's to submit their ideas and breakdown of how to get there. But has not heard back from Economic Development or Ossipee Listen's. Billings noted he would like the Planning Board to start with putting the table of contents together. From there it can be expanded to each chapter to cover the history, present and future of Ossipee. Discussion ensued over different areas to address, as an example; Economic Development, Historical Society, Fire Departments, Planning, Zoning Board of Adjustment, Conservation, and Forestry, etc...

Discussion shifted to the amount of conservation land in Ossipee the Town has. Currently, there is approximately 24-29% of land in Ossipee is held in some form conservation, current use or wetlands. After some discussion, the Board agreed they are meeting the State's requirement of conservation land that will benefit the Town. The Board does not want to discourage any owner from designating their land to conservation but does ask that they seriously consider alternative use.

Otterbach suggested the Conservation Commission had discussed previously creating a visitor's center at the Route 16 Scenic Vista as a means of generating revenue. Billings suggested that Otterbach write up the idea and submit for the Master Plan.

Dallas Emery suggested moving and combining the three fire departments, police department and highway department to one new location. Billings noted it was attempted back in 1980's but the departments declined. It was also noted that there has been some recent discussion of the police station moving but no decisions have been made either way.

Billings instructed the Board members to bring their ideas and suggestions to the next meeting.

Any Other Business Which May Come Before This Meeting

Legendre asked to address an issue with alternate member Rick St. Jean. Billings gave his approval. Legendre expressed his displeasure of a couple of meetings where St. Jean walked out of the meeting. Legendre feels that "each Board member is there to represent the people of Ossipee. And when someone is here to voice their opinion, whether we like what they have to say or not, it's unfair to the Board and is actually an insult to the resident's for one of us to get up and walk out. It's wrong and disgraceful. People take the time to come here to voice their concerns. You don't have to like what they have to say but they have every right to say it and does not want to him walk out again."

Adjournment:

A **Motion** by Barron to adjourn the meeting. Legendre seconded. No further discussion. A unanimous vote was taken. The meeting adjourned at 9:16 PM.

Next Meeting: **April 3, 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 c/o Dave Poulin	SPR granted pending remaining conditions: #1: Official Letter from Fire Chief approving the plan. Received 01/16/2018 Pending final official letter from Fire Chief.
PB	12/05/2017	Hutton Partners /O'Reilly Auto Parts	SPR granted pending remaining conditions: #1: Pending all Federal , State and Local Permits accepted and approved by the State and Town. Pending
PB	12/05/2017	Hutton Partners /O'Reilly Auto Parts	SPR granted pending remaining conditions: #2: Pending all Federal , State and Local Permits accepted and approved by the State and Town. Pending
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. Pending
PB	02/20/2018	1314 NH RT 16, LLC /Norway Plains Assoc. Inc.	SPR granted pending conditions: #1-7: Pending revised plans addressing the 7 conditions. Plans received 03/05/2018.