

**OSSIPEE PLANNING BOARD
MEETING MINUTES
March 3, 2020**

Minutes have been recorded for the convenience of summarizing by Laura Nash, Planning Board Secretary; any amendments to the minutes are noted in ***bold & italic*** type.

REGULAR PUBLIC MEETING

Call to Order: Connie Billings called the meeting to order at 7:00 PM.

Pledge of Allegiance: was recited by all in attendance.

PB Attendance by Roll Call: – Connie Billings, Roy Barron, Bruce Stuart, Tim Otterbach, Sharon “Sharie” Cohen, Sue Simpson (Select. Rep), Alternate- Krystal Eldridge and Jonathan Smith, ZEO.

Absent: Peter Zavas,

Regularly Scheduled Meeting & Public Hearing for Cases Scheduled

Public Input: Unrelated to any case being presented tonight.

Meeting Minutes: Review to approve Meeting Minutes of 02/04/2020.

A **Motion** by Barron to approve the minutes of the February 25, 2020. Billings seconded. Discussion Billings called for any changes to the minutes of February 25, 2020. Billings noted on page 4 “Billings stated the Conservation ***Commission sign*** is missing.”

Billings called for a vote to approve the minutes of the February 25, 2020 as amended. No further discussion or changes. A unanimous vote was taken by show of hands. **Motion passed.**

Informal Discussion:

- Rick Schwartz discuss a lot merger of 3 non-conforming lots. Not present.
- Kathryn Dragonfly – renter of 839 Route 16 (former Pine Tree Restaurant) was present to discuss holding an outdoor flea market once a month May through October. They are in a rent to own agreement with the current owner. The vendors will be on the paved area along the perimeter of the property with parking in the sandy area, except for 5 handicapped parking spaces. Discussion ensued.

The Board discussed that she currently operates an antique shop out of the first floor of the home but has not received a Site Plan Review approval from the Planning Board for the change in use from a restaurant to the antique shop. The Planning Board advised the following:

1. Receive property owners consent to operate the businesses
2. Apply for a Site Plan Review for both businesses
3. Provide Deed of Ownership when sale is finalized.

Unsatisfied Conditions: (continued from previous PB Mtgs):

- See separate sheet with details.

Jonathan stated there are no new updates on the following pending cases:

- John Pearson c/o 1314 NH RT 16, LLC
 1. Fire Chief Approval
 2. Zoning Officer Approval
 3. Revised plans with signature block
 4. All Federal, State, and Local Regulations shall be followed.

Jonathan Smith stated Gary Wallace is to speak with Land Tech on the pending conditions.

Gary R. Wallace Auctioneer, Inc.

2. Application revised to reflect the actual property owner
3. Dedicated 2 parking spaces
4. Approved NHDES Septic system plans for leach field and septic tank

PUBLIC HEARING

New Business:

- **Case #19-1-SPRA:** Northgate Ossipee, LLC – (WWSCG) was Granted a SPRA Pending conditions: #2: The swimming pool will not be constructed until receipt of the State Pool Permit Approval. (Received 02/08/2020 – NHDES approval for an Indoor Pool, Outdoor Pool, Indoor Spa and Outdoor Spa)

Billings wished to combine the discussion for both cases. Billings noted the Site Plan Review Amendment for Case #19-1-SPRA was believed to be for a pavilion and an outdoor pool. It was noted when the Board received on 02/08/2020, NHDES approval for an Indoor Pool, Outdoor Pool, Indoor Spa and Outdoor Spa that Mr. Flores would need to explain the difference from what the Board approved verses NHDES approvals.

Dan Flores of SFC Engineering, explained that 4 years ago, they came before the Board for the expansion of the campground. Along with the campsites there would be a 75 ft. X 150 ft. indoor pool. February 2019, they came before the Board requesting a Site Plan Review for an outdoor pool, playground and pavilion. Flores noted they have satisfied all the conditions. They have received an amended AoT permit, NHDES approval for an Indoor Pool, Outdoor Pool, Indoor Spa and Outdoor Spa. Flores referred to pages 4 and 19 of the February 19, 2019 plans which showed the Indoor Pool, Outdoor Pool, Indoor Spa and Outdoor Spa. The NHDES approval is for the discharging to the trench area as part of the pool operations. The pool has a two-hour circulation rate and the spa has a 30-minute circulation rate. Flores explained the spas are built into the pools. Flores continued explaining the plan which was submitted February 2019. Plans were reviewed.

Billings asked Flores to present the proposed staff housing being requested for the Site Plan Review Amendment. Barron asked if Chairman Billings should recuse himself since he works for the company, who is contracted with Northgate Ossipee, LLC in there construction projects. Billings declined to recuse because if though he works for the company, he does not have anything to do with this project. Barron disagreed.

- **Case #20-1-SPRA:** Northgate Ossipee, LLC of 110 Nichols Rd. (former 60 Nichols Rd.) Tax Map: 029 Lot: 001 are requesting a Site Plan Review Amendment to add an accessory structure for campground seasonal staff housing. The structure will include 4-bedrooms, structure will meet setback ordinances, and will be located outside the floodplain.

Flores explained the staff house (former Tax Map: 024 Lot: 019) was raised and moved inland away from Route 16 to meet the setback requirements. They are creating a separate well and leach field just for the staff housing. State septic application was submitted March 2, 2020 to NHDES. The plans were submitted to

AoT to ensure it's not required, and they have received notice back with approval. There will be a bio-retention area located in the front to capture any roof run-off with the intention to improve the area. All dirt piles will be removed. Flores noted they have submitted the design plans for this project and the over view plans of the campground and its features. Billings noted the plans are missing the official signature block for the Planning Board to sign. Discussion ensued of no additional campsites will be added except for the 5 campsites being relocated per the February 2019 plans. The pool volume was questioned, indoor pool is at 414.6 flood elevation and the outdoor pool is at grade level. No pools will be open during the winter months.

Billings opened discussion to the public. None was heard.

A **Motion** by Billings to Conditionally Approve **Case #20-1-SPRA:** Northgate Ossipee, LLC of 110 Nichols Rd. (former 60 Nichols Rd.) Tax Map: 029 Lot: 001 request for a Site Plan Review Amendment to add an accessory structure for campground seasonal staff housing with the following conditions:

1. NHDES Septic Approval
2. Correct the setback error noted.
3. Revised plans with signature block
4. No renting staff housing out to campers
5. All Federal, State and Local Regulations shall be followed.

Billings called for a second to his motion. Barron seconded. Discussion: Smith noted on the plans that the front setback is showing 25 ft. when the ordinance calls for 40 ft. for front setbacks. Flores noted that is an error and he will have it corrected on the final plans.

Cohen asked Chairman Billings if he was going to raise Alternate - Krystal Eldridge up to voting status.

Chairman Billings raised Alternate - Krystal Eldridge up to voting status in place of Peter Zavvas.

Billings called for a vote. A unanimous vote was taken by show of hands. **Motion passed.**

Flores asked if work could begin before the plans are signed. Billings confirmed with Smith that a building permit is required prior to work beginning. Billings instructed Smith to inform Steve McConarty that the Planning Board has approve the plans and he can issue a building permit.

Point of Order by Otterbach to notify the applicant of the 30-day appeal process.

Billings informed the applicants representative “***Note: The Selectmen, any party to the action or any person directly affected has a right to appeal this decision within 30 days. To avoid lapsing of the approval, there should be substantial construction or liability within 2 years of the decision. See New Hampshire Revised Statutes Annotated, Chapter 677, available at the Ossipee Town Hall.***”

- **Case #20-1-LM:** Bruce Barnard, TTE c/o Bruce E. Barnard 2007 Trust of 14 Dorrs Corner Rd. Tax Map: 224 Lot: 013 and Tax Map: 224 Lot: 014 request for a Lot Merger.

Billings noted both lots are non-conforming and neither lot is subject to a mortgage. Frontage measures 90.75 ft. which does not meet the 200 ft. frontage requirement but it's an existing non-conforming lot. Lot 013 contains a dwelling and both lots are 0.33 acres for a total acreage of 0.66 acres. But remains non-conforming due to lack of frontage.

A **Motion** by Billings for **Case #20-1-LM:** Bruce Barnard, TTE c/o Bruce E. Barnard 2007 Trust of 14 Dorrs Corner Rd. Tax Map: 224 Lot: 013 and Tax Map: 224 Lot: 014 to approve a Lot Merger and form one lot of record. Otterbach seconded. No discussion. A unanimous vote was taken by show of hands.

Motion passed.

Non-Public Session – RSA 91-A:3, II (l) – Legal Matters

Billings polled the Board to enter into a non-public session at 7:53 PM pursuant to RSA 91-A: 3, II (l) for legal matters.

Roll call vote was taken: Krystal Eldridge – Yes, Sharon “Sharie” Cohen – Yes, Connie Billings - Yes, Roy Barron - Yes, Sue Simpson (Select. Rep) - Yes, Bruce Stuart - Yes, and Tim Otterbach - Yes

A **Motion** by Billings to adjourn the non-public session at 8:38 PM. Otterbach seconded. No discussion. A unanimous vote was taken.

A **Motion** by Billings to return to the public session at 8:39 PM. Otterbach seconded. No discussion. A Roll call vote was taken: Krystal Eldridge – Yes, Sharon “Sharie” Cohen - Yes Connie Billings - Yes, Roy Barron - Yes, Sue Simpson (Select. Rep) - Yes, Bruce Stuart - Yes, , and Tim Otterbach – Yes.

A **Motion** by Billings that the secretary is to the revise the letter of request to the Board of Selectmen, per Attorney Rick Sager’s recommendation to seek alternative legal counsel. The letter is to be submitted to the Board of Selectmen on March 13, 2020 for their consideration at the March 16, 2020 Board of Selectmen’s meeting. Barron seconded. No discussion. A unanimous vote was taken by show of hands. **Motion passed.**

Gravel Pits:

- Eastern Material/H. Downy & Michael Shea (Gravel Pit): Tax Map: 243 Lot: 002. Barron informed the Board that Michael Shea will be contacting the office to schedule a public hearing to renew his Excavation & Reclamation Permit. At the prior Planning Board meeting, the Board received a Letter of Credit from Haverhill Bank for renewal of an Irrevocable Line of Credit for the Reclamation Funds. Under current regulations a line of credit is not an acceptable form of bond, it’s either cash or bank check.

Any Other Business Which May Come Before This Meeting:

Otterbach stated this would be his last meeting and wanted to thank the Board for his time on the Board but would consider being an alternate.

A **Motion** by Billings to send a letter to the Board of Selectmen recommending they appoint Tim Otterbach as an alternate to the Planning Board. Barron seconded. No discussion. A unanimous vote was taken.

Sue Simpson (Select. Rep) stated this would probably be her last meeting and thanked the Board for her time on it.

A **Motion** by Barron that the election of chairman and vice-chairman to be by single nominations instead of combined. Billings seconded. No discussion. A unanimous vote was taken by show of hands.

Smith looked into the boat stored on the property next to Kevin’s Discount. The property belongs to Philip Holland, who is currently in Oakhill Florida. He will return in the spring at which time Jonathan Smith, ZEO will contact him to discuss the storage issue and how to apply for a Site Plan Review.

Smith conveyed to the Board that the Town Map is actually to scale per the Zoning Ordinance. Billings noted it is out dated. Otterbach stated the graphic scale legally takes precedence over a written scale because a graphic scale is always correct no matter how reduced a map is made.

Next Meeting & Public Hearing: [March 17, 2020 @ 7:00 pm](#)

Adjournment:

A **Motion** by Barron to adjourn. Stuart seconded. No discussion. A unanimous vote was taken. **Motion passed. Meeting adjourned** at 08:50 PM.

Minutes approved by majority vote of the Board on – _____
Date

Condict (Connie) Billings, Chairman