

**OSSIPEE PLANNING BOARD**  
**MEETING MINUTES**  
**August 4, 2020**

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

REGULAR PUBLIC MEETING

**Call to Order:** Sharon “Sharie” Cohen called the meeting to order at 7:00 PM.

**Pledge of Allegiance:** was recited by all in attendance.

**Regularly Scheduled Meeting**

Chairman Cohen announced due to the weather and individuals needing to travel the Board would be jumping around the schedule.

- **Case #20-3-LM:** Andrew Catino of 4 Moultonville Rd. **Tax Map: 092 Lot: 082** is requesting a Lot Merger with 6 Moultonville Rd. **Tax Map: 092 Lot: 081.**

Andrew Catino presented to answer any questions the Board may have. Steve McConarty, ZEO explained Mr. Catino needs a lot merger before going in front of the ZBA on September 8, 2020 for a variance and a special exception due to the existing structures encroaching the boundary lines of both properties. The Board reviewed the application.

A **Motion** by Billings for **Case #20-3-LM:** Owner: Andrew Catino to approve the Lot Merger of 4 Moultonville Rd. **Tax Map: 092 Lot: 082** with 6 Moultonville Rd. **Tax Map: 092 Lot: 081.** All Federal, State and Local Regulations shall be followed. Fischbein seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

- **Case#18-4-SPR:** 07/28/2020 – Received new application for a SPRA. John W. Dawson, Jr. of 80 Route 16B. Tax Map: 93 Lot: 015 to discuss the expected completion of the pending Conditional Site Plan Review and to notify that the conditional approval is coming upon the 2 – year expiration date affective August 7, 2020. With the following conditions:
  1. Lighting plan added to design plan and
  2. Shall comply with All Federal, State, and Local Regulations and Ordinances,

Mark Lucy of White Mountain Survey & Engineering, LLC provided a status update on the conditional approval for 80 Route 16B and the pending condition for a lighting plan to be incorporated into the Site Plan Review. On 07/28/2020, the PB received a Site Plan Review Amendment application in which the previous lighting plan condition will be incorporated. Mark Lucy requested a continuance until the next PB meeting on August 18, 2020 pending the outcome of the Site Plan Review Amendment, since the original Site Plan Review was due to expire in two days.

A **Motion** by Billings to continue **Case#18-4-SPR:** John W. Dawson, Jr. of 80 Route 16B. Tax Map: 93 Lot: 015 until the August 18, 2020 Planning Board meeting. Barron seconded. No discussion. All other voted in favor by a show of hands. Fischbein abstained. **Motion passed.**

**Meeting Minutes:** Review to approve Meeting Minutes of 07/21/2020.

A **Motion** by Barron to approve the minutes of the July 21, 2020 as submitted. Smith seconded. No Discussion. All other voted in favor by a show of hands. Eldridge abstained. **Motion passed.**

**Roll Call:** Sharon “Sharie” Cohen - Chairman, Ash Fischbein – Vice Chairman, Connie Billings, Roy Barron, Jonathan Smith (Select. Rep), Bruce Stuart, Krystal Eldridge, Alternate-Tim Otterbach and Steve McConarty (ZEO).

**Unsatisfied Conditions: (continued from previous PB Mtgs):** See separate sheet with details.

- **Case #20-2-BLA & Case #20-2-SUBD:** Northern Tire & Alignment and Four Investors Realty Trust of 1225 Route 16. Tax Map: 101 Lot: 008 & 009 was Conditionally Approved a Boundary Line Adjustment & Subdivision to separate the tire warehouse structure from the repair building to facilitate any future sales and it adjust the southerly boundary line with Four Investors Realty Trust with the following conditions:
  1. Copy of the Curb cuts for the entire property – Received 07/21/2020
  2. Receipt of the Mylar plan for recording. Received 07/22/2020
  3. All Federal, State and Local Regulations shall be followed.

Discussion: Billings noted the Board can issue final approval, first.

A **Motion** by Cohen to Grant Final approval with all conditions met for **Case #20-2-BLA & Case #20-2-SUBD:** Northern Tire & Alignment and Four Investors Realty Trust of 1225 Route 16. Tax Map: 101 Lot: 008 & 009. Fischbein seconded. No Discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

A **Motion** by Cohen to remove conditions #1 & #2 from the list of Unsatisfied Conditions. Barron seconded. With no further discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

- **Case #20-2-SPR:** Huggins Hospital of 3 Water Village Rd. Tax Map: 132 Lot: 040 was Conditionally Granted a Site Plan Review - Pending receipt of Special Exception Approval from the ZBA – Received on 07/14/2020.

A **Motion** by Barron to Grant Final approval for a Site Plan Review with all conditions met for **Case #20-2-SPR:** Huggins Hospital of 3 Water Village Rd. Tax Map: 132 Lot: 040. Billings seconded. No Discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

A **Motion** by Barron to remove the conditions from the list of Unsatisfied Conditions. Cohen seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

### **Public Hearing on Scheduled Cases**

#### **New Business:**

- **Case #20-3-SUBD:** Nancy Auletta Rev. Trust and Edward Auletta Rev. Trust of 349 Water Village Rd. **Tax Map: 138 Lot: 019** are requesting a two - lot subdivision. Proposed lot #1 will become 3.529 acres and proposed lot #2 will become 2.934 acres of a currently 6.463-acre parcel.

Paul King of Paul King Surveying presented on behalf of Nancy and Edward Auletta. King noted the Auletta’s are requesting a two - lot subdivision in the Water Village area. The property extends from Route 171 to Pork Hill Rd. The subdivision (Lot 2) will provide a lot for their daughter off the Pork Hill Rd. side of the parcel. They have received the Fire Chief’s approval, NHDES approved septic plans, NH State Subdivision approval, and pending NHDES Wetlands – Dredge & Fill permit. King provided revised plans indicating all the survey markers pinned. McConarty is follow up on the Driveway Permit. Also, pending submission of the final mylar plan for recording.

A **Motion** by Barron to accept the application for **Case #20-3-SUBD:** Nancy Auletta Rev. Trust and Edward Auletta Rev. Trust of 349 Water Village Rd. **Tax Map: 138 Lot: 019** as complete. Fischbein seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

A **Motion** by Billings for **Case #20-3-SUBD:** Nancy Auletta Rev. Trust and Edward Auletta Rev. Trust of

349 Water Village Rd. **Tax Map: 138 Lot: 019** is Granted Conditional Subdivision Approval pending the following conditions:

1. NH State Subdivision approval
2. NHDES Wetlands – Dredge & Fill permit
3. Driveway Permit
4. Submission of Final Mylar plan for Recording
5. All Federal, State and Local Ordinances and Regulations shall be followed.

Barron seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

- **Case #20-2-LM:** Joseph W. Goss of 2050 Route 16. **Tax Map: 024 Lot: 003** is requesting a Lot Merger with 2060 Route 16. **Tax Map: 025 Lot: 036.**

Joe Goss presented his reasoning for merging the two properties. He wants to build an 80 ft. x 100 ft. garage and since you cannot have a garage on a stand-alone property without a dwelling, so he is requesting to merge the two lots.

A **Motion** by Billings for **Case #20-2-LM:** Owner - Joseph W. Goss of 2050 Route 16. Tax Map: 024 Lot: 003 and Grant a Lot Merger with 2060 Route 16. Tax Map: 025 Lot: 036. Stuart seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

- **Case #19-9-SPR:** (Continued until August 18, 2020) **REHEARING** –New Circular Wireless (AT&T) c/o SmartLink. Representing Agent is Adrienne Banks for 88 Walker Hill Rd. **Tax Map: 252 Lot: 022** are requesting a Site Plan Review for placement of a wireless facility per Section 6409 Eligible Facilities Request to add (9) wireless antennas, (9) remote radio units, (1) walk in cabinet and (1) generator to be installed. Also proposing to add an extension of the existing structure by (15) ft. to raise the tower from 122 ft. to a total height of 140 ft. at the wireless Base Station. *(This case was originally continued until April 7, 2020 pending receipt of SE from the ZBA but returned on February 4, 2020 with revised plans in compliance with the zoning ordinances and was conditionally approved. That decision has been null and void due to insufficient abutters notification and the applicant is here for a rehearing.)*
- **Case #20-1-SUBD:** (Continued until August 18, 2020 - Pending Wakefield approval) Van & Constance Hertel & Lawrence & Erika Gray of Granite Rd., Ossipee & Leighton Corners Rd., Wakefield. **Tax Map: 263 Lot: 015** are requesting a (6) Lot Subdivision on the 112 acres on the Ossipee and Wakefield town line. (Case Continued from February 25, 2020 Pending Town of Wakefield Subdivision approval)

#### Gravel Pits:

- **Case # 18-1-GP:** 07/28/2020 – Contractual agreement received from Atty. Sager. *(Continued from 09/18/2018) "Pending a legally binding contractual agreement, drawn up by the Town Attorney, Rick Sager and Attorney, Jonathan Springer that if an heir of Mr. Coyne's comes forth later on, the heir would be entitled to the surety when legally identified as such through Probate Court. Mr. Leighton will be required to put forth the cash surety for the gravel pit to be held for reclamation."*

Brad Leighton c/o Jon Rokeh, Rokeh Consulting for 75 Chickville Rd. Tax map: 239 Lot: 001 has submitted an Earth Excavation & Reclamation Permit to re-open the 75 Chickville Rd. Gravel Pit, which is under new ownership.

1. Legal documentation to support which owner put forth the reclamation fees, Coyne or Leighton.  
(Pending)

Discussion ensued over the Board just needs to sign the agreement.

A **Motion** by Billings for **Case # 18-1-GP:** Brad Leighton c/o Jon Rokeh, Rokeh Consulting for 75 Chickville Rd. Tax map: 239 Lot: 001 that the Planning Board sign the agreement only after Brad Leighton signs the agreement, first.

Discussion ensued over not agreeing with the motion and the benefit of not signing until after Brad Leighton first signs the agreement. With no second on the previous motion...the motion is rendered dead.

A **Motion** by Barron for **Case # 18-1-GP**: Brad Leighton c/o Jon Rokeh, Rokeh Consulting for 75 Chickville Rd. Tax map: 239 Lot: 001 for the Planning Board to sign the agreement, forward it to Attorney Rick Sager, who will forward it to Attorney Jonathan Springer for Brad Leighton to sign. Fischbein seconded. No further Discussion. All other voted in favor by a show of hands. Billings Opposed. **Motion passed.**

#### **Master Plan Update:**

Cohen turned the meeting over to Fischbein. Fischbein noted the current version is from 2006 and is outdated. The Master Plan is supposed to dictate the direction of the zoning ordinances to protect the future of the town. The zoning ordinances change, the land owners change and the zoning districts have changed and or developed and should be looked to make sure they are zoned accordingly. Fischbein referred to the Office of Strategic Initiative – ZBA Handbook page II-1, RSA 674:17 The Purpose of the Zoning Ordinance follows in state statutes of following the master plan. Fischbein referred to the second criteria for obtaining a variance, which is on page II-9, entitled **VARIANCES: RSA 674:33 Powers of Zoning Board of Adjustment**, I(a) The zoning board of adjustment shall have the power to: 2. (B) The spirit of the ordinance is observed. Fischbein asked the Board members to look at the following for the next meeting:

1. What is the Objective of Zoning and Zoning Ordinances
2. Implement safety mechanisms to Protect Property Values and Conservation of Land
3. Protecting Climate and Neighboring Properties by implementing architecturally design and review capabilities
4. Re-Evaluate – Zoning Ordinances page 81, Table 1 – Chart of Uses

Discussion ensued over making changes and having discussions and as a Board being obligated to make the changes. Fischbein turned the discussion over to Otterbach to present which chapters have already been updated. Otterbach referred to the secretary but the secretary never received any updated chapters from Otterbach or previous member Bob Gillette. The Table of Contents was the only document received from Otterbach, aside from the chapters the secretary updated on her own. Fischbein requested to be the point person for this project and requested to receive copies of whatever files are available, emailed to him. Otterbach suggested when the final draft is complete is when it should be released to the public for comments and suggestions. The Board has requested a copy of the Master Plan for each member.

#### **Any Other Business Which May Come Before This Meeting:**

Cohen called for any other business; none was presented.

**Next Meeting & Public Hearing:** [August 18, 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 7:50 PM.

Minutes approved by majority vote of the Board on – \_\_\_\_\_

Date

\_\_\_\_\_  
Sharon “Sharie” Cohen, Chairman  
Ossipee Planning Board