

OSSIPEE PLANNING BOARD
MEETING MINUTES
September 15, 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 7:03 PM.

Pledge of Allegiance: was recited by all in attendance.

Roll Call: Sharon “Sharie” Cohen - Chairman, Ash Fischbein – Vice Chairman, Connie Billings, Roy Barron, Jonathan Smith (Select. Rep), Bruce Stuart, Rick Cousins (New ZEO), and Steve McConarty (ZEO)

Absent: Krystal Eldridge and Alternate-Tim Otterbach.

Meeting Minutes: Review to approve Meeting Minutes of 09/01/2020.

Cohen noted on page 2, para 1 “declared a hoe occupation” Should be “declared a ***home*** occupation.”

A **Motion** by Smith to approve the minutes of the September 1, 2020 as amended. Stuart seconded. No Discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

Financials:

- 2020 – 2021 Proposed Budget – The Board discussed potential increases.

A **Motion** by Billings to increase advertising from \$2,000.00 to \$3,500.00, increase Office supplies from \$1,000.00 to \$1,500.00 and increase Postage from \$1,700.00 to \$1,800.00. Fischbein seconded. No discussion. A unanimous vote was taken by show of hands. **Motion Passed.**

Informal Discussion:

- John Pearson – New restaurant at former Belly Busters

The secretary informed the Board that Mr. Pearson had a family emergency and would not be able to attend tonight’s meeting. Mr. Pearson wanted to inform the Board he would be renting the building to a new occupant, who wants to open a new restaurant and he was hoping to finalize his previous case since he was able to obtain the Fire Chief’s letter of approval.

Board discussion concluded since it was previously a restaurant and has been vacant for approximately one month; no site plan would be required.

- **Case #19-4-SPRA:** owner – John Pearson c/o 1314 NH RT 16, LLC of 1312 Route 16. Tax Map: 099 Lot: 021 was grant a **Conditional Site Plan Review Amendment** pending the following conditions:
 1. Fire Chief Letter of Approval – [Received 09/15/2020](#)
 2. All Federal, State, and Local Regulations shall be followed.

A **Motion** by Billings to send a letter to Mr. Pearson informing him since the building was previously a restaurant and has been vacant for approximately one month; no site plan would be required unless there is a change in use. Also, to change **Case #19-4-SPRA:** for owner – John Pearson c/o 1314 NH RT 16, LLC of 1312 Route 16. Tax Map: 099 Lot: 021 from Conditional Site Plan Review Amendment to a Final Site Plan Review Amendment with conditions met with receipt of the Fire Chief’s letter of approval and all Federal, State and Local Regulations shall be followed. Fischbein seconded. No discussion. A unanimous vote was taken by show of hands. **Motion Passed.**

- Frank – Belly Busters relocation. Steve McConarty informed the Board per Frank, who told him the owner should speak with the Board not him it's not his responsibility. McConarty stated either Rick Cousins or himself will reach out to the owner to have him come in for an Informal Discussion with the Planning Board.

- Nicki & Zack Gowan – looking to purchase 2285 White Mtn Hwy (Old Ginger Bread House) and would like to operate a wedding photography studio and eventually host weddings on the property. Looking for direction in the permitting process. The property is zoned Roadside Commercial. Board discussion included meeting State requirements for driveway curb cut, floodplains, parking and eventually a Site Plan Review for the wedding venue business.

Rick Cousins will speak with the Gowan's about having a home business verses just the business being located at this property and direct them to proper permitting.

Public Hearing on Scheduled Cases

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

- **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 - **Pending**
 2. NHDES Wetlands – Dredge & Fill permit –

NHDES notice application received and is being reviewed. Cohen announced the receipt of the notice. No action required at this time.

3. Submission of Final Mylar plan for Recording – **Pending**

- **Case #20-1-SUBD:** Owners: Van & Constance Hertel & Lawrence & Erika Gray of Granite Rd., Ossipee & Leighton Corners Rd., Wakefield. Tax Map: 263 Lot: 015 are Granted Approval for a (6) Lot Subdivision on the 112 acres as presented by Steve Oles of Norway Plains, Inc with the following conditions:

1. NH State Subdivision Approval –

After discussion it was determined state approval is not required for lots over 5 acres.

2. Receipt and Recording of Mylar with CCRD –

Van Hertel was present and provided revised plans with the mylar for Board approval and signing. Mr. Hertel will delivered the plans to the Town of Wakefield for signatures and return all plans and mylar to the Board Secretary for recording with the Carroll County Registry of Deeds. A brief discussion ensued over to grant final approval for the subdivision or wait for the plans to return with Wakefield's signatures.

A **Motion** by Barron for **Case #20-1-SUBD:** Owners: Van & Constance Hertel & Lawrence & Erika Gray of Granite Rd., Ossipee & Leighton Corners Rd., Wakefield. Tax Map: 263 Lot: 015 for a (6) Lot Subdivision on the 112 acres as presented and to remove 1. NH State Subdivision Approval from the list of Unsatisfied Conditions. Smith seconded. No discussion. A unanimous vote was taken by show of hands.

Motion Passed.

A brief recess was called at 7:30 PM to sign the plans for Mr. Hertel.

The meeting reconvened at 7:36 PM.

A **Motion** by Billings for **Case #20-1-SUBD:** Owners: Van & Constance Hertel & Lawrence & Erika Gray of Granite Rd., Ossipee & Leighton Corners Rd., Wakefield. Tax Map: 263 Lot: 015 to Grant Final Approval with all conditions met for a (6) Lot Subdivision on the 112 acres as presented and to remove

from the list of Unsatisfied Conditions. Barron seconded. No discussion. A unanimous vote was taken by show of hands. **Motion Passed.**

Gravel Pits:

- **Case # 18-1-GP:** Received 09/04/2020 the signed agreement from Brad Leighton via Attorney, Jonathan Springer.

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.

A **Motion** by Barron to remove **Case # 18-1-GP:** Brad Leighton c/o Jon Rokeh, Rokeh Consulting for 75 Chickville Rd. Tax map: 239 Lot: 001 from the list of Unsatisfied Condition with all conditions being met. Cohen seconded. No discussion. All others voted in favor by a show of hands. Billings Opposed. **Motion Passed 4-1.**

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 be issued a Renewal of the Earth Excavation and Reclamation Permit. Smith seconded. No discussion. All others voted in favor by a show of hands. Billings Abstained. **Motion Passed 4-1.**

New Business: No new cases for consideration.

Barron left at 19:43.

Master Plan Update: Further review of the draft letter ensued. Fischbein suggested sending the letter out in two phases. The first phase will be sent to Town departments, Fire Precinct's and the Library. Second phase would include Committee's, Societies and some other Organizations for updating their sections of the Master Plan. Discussion ensued over the which departments and organizations affect or are affected by the growth of the Town.

Billings questioned the reason for including the Transfer Station? Fischbein indicated for fiscal reasons with the growth of the Town. Discussion ensued over how it would be affected. Billings disagreed that the Transfer Station has any impact with the Master Plan.

Billings requested to be excused at 7:55 PM. Chairman Cohen approved.

Cousins left at 7:55 PM.

Discussion continued over which departments are included in phase I for letter distribution. The Board instructed the secretary to include all departments under the Public Works umbrella are specifically listed in their letter.

The Board listed the following departments in phase I to send the letter to, along with pertinent chapters of the MP:

Board of Selectmen: ALL Chapters

Planning Board: ALL Chapters

Zoning Board of Adjustment: ALL Chapters

Conservation Commission: Chapters 2, 3, 4, 5

Economic Development Council: ALL Chapters, emphasis on Chapters 6, 8, 9

Dept. of Public Works: (Highway Dept.: Chapters 2, 5, - Recreation Dept.: Chapters 3, 5 - Transfer Station Manager: Chapter 5, - Water & Sewer Department: Chapters 2, 3, 5)

Chief of Police, Joe Duchesne: Chapters 2, 5

All 3 Fire Precincts, Commissioners and Chiefs: Chapter 5

Library: Chapter 5

The Board listed the following Committees and Organizations in phase II to send the letter to, along with pertinent chapters of the MP:

Historical Society: Chapters 4, 7

Main Street Program: ALL Chapters with emphasis on Chapters 4, 7, 8, 9

Misty Ryder, Ossipee Area Community Center: Chapters 2, 5

Ossipee Concerned Citizens: Chapters 2, 5

Ossipee Lake Alliance:

Lakes Region Planning Commission:

White Horse Addiction Center:

Emergency Management discussion involved whether to include sections for COVID, Opioid Crisis and County Nursing Home.

Discussion turned to possibly simplifying the Master Plan to just land management. Stuart asked if there is a guideline directing the Planning Board on the Master Plan. He was directed to the Office of Strategic Initiative Planning Board handbook for the guidance.

Fischbein stated zoning ordinances are based off the Master Plan. Zoning Ordinances are supposed to be designed to honor the Master Plan, so the communities and wants of the Town's people are guided by the ordinances. He believes this has been the opposite for many, many years and now is the time to deregulate and simplify the Master Plan to create ordinances that make sense for peoples constitutional rights for their private property.

The Board reviewed the letter for any changes and selected a response date of January 15, 2021, with a final deadline of March 10, 2021. A reminder letter will be sent half way between January and March. Discussion to determine a date the letter should be sent out to the departments and to include Town Administrator, Matt Sawyer, Jr. After discussion, the secretary will make the necessary changes, forward to Fischbein, Cohen, Smith and Stuart for review and distribute by early next week with specific chapters. The Board left Fischbein as the designated person for any questions, or assistance needed on the letter. Department heads can contact him at planningboardash@gmail.com. General discussion on areas of growths ensued.

A **Motion** by Cohen to approve the amendments to the letter as discussed and distribute the revised letter by early next week with specific chapters to the departments listed in Phase I. Stuart seconded. No further discussion. A unanimous vote was taken by show of hands. **Motion passed.**

ZBA Notices: The Board reviewed the notices and had no comments.

- **Case # 20-6-V:** Andrew Catino of 4 Moultonville Rd. Tax Map: 092 Lot: 082 was Granted a Variance from Article 6.4.1. A, for front setback to add a roof overhang over the front door and the existing walkway. And **Case #20-6-SE:** was Granted a Special Exception from Article 23.3.2 Expansion of a Non-Conforming Structure to replace the stairs that were built incorrectly, rotting and dangerous.
- **Case #20-7-V:** Elizabeth & Jeffrey Peloso of 78 Deer Cove Rd. Tax Map: 037/003/001 was Granted a Variance from Article 6 Section 6.4.1 (A) Front Setback and Section 6.4.2 (A) Side Setback to remove an existing deck and build a new larger deck on the front of the house and to create a level outdoor area

and for **Case #20-7-SE**: was Granted a Special Exception from Article 23 Section 23.3.2 for Expansion of a Non-Conforming Structure with following conditions as follows:

1. NHDES Shoreland Approval
 2. All Federal, State and Local Regulations shall be followed.
- **Case #20-9-V**: Paul Desimone Rev Trust of 70 Hodsdon Shore Rd. Tax Map: 072 Lot: 004 is seeking a Variance from Article 6 Section 6.4.2.A to demolish an existing home, out house, and shed and construct a new home that is approximately 322 sq. ft. larger and construct a new septic system and install a new well. **Case continued until September 22, 2020 and subsequently requested a continuance until October 13th, 2020 ZBA meeting.**
 - **Case #20-8-V**: Dianne Valentine of 29 Bay Point Rd. Tax Map: 022 Lot: 010 is seeking a Variance from Article 6 Section 6.4.1.A Front Setback to remove an existing 20 ft. X 34 ft. home and replace with a larger 34 ft. X 36 ft. home. **Case was continued until September 22, 2020 and subsequently withdrawn and will resubmit with new plans for the October 13th, 2020 ZBA meeting.**

Any Other Business Which May Come Before This Meeting: None was heard.

Next Meeting & Public Hearing: **October 6, 2020 @ 7:00 pm**

Adjournment:

A **Motion** by Cohen to adjourn. Fischbein seconded. No discussion. A unanimous vote was taken. **Motion passed. Meeting adjourned** at 8:40 PM.

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

Sharon “Sharie” Cohen, Chairman
Ossipee Planning Board