

**OSSIPEE PLANNING BOARD  
MEETING MINUTES  
January 17, 2023**

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

**Call to Order:** Sharon “Sharie” Cohen called the meeting to order at 7:00 PM and requested all cellphones to be silenced.

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

**Roll Call:** Sharon “Sharie” Cohen, Chairman, , Roy Barron, Krystal Eldridge, Jake Dawson, III (ex-officio) Melissa Ames (Alternate)

**Absent:** Ash Fischbein, and Donna Sargent

**Late Arrival:** Bruce Stuart, Vice Chairman arrived at 7:13 pm.

Chairman Cohen raised Melissa Ames up to voting status in place of Donna Sargent.

**PUBLIC HEARING  
on the  
2022 – 2023 PROPOSED SIGN ORDINANCE CHANGES**

Chairman Cohen opened a second public hearing with the proposed changes to the sign ordinance noting deletions are **STRIKED in RED** and additions are in **GREEN**.

Chairman Cohen read the following changes.

**SIGN ORDINANCE :**

**V. PERMANENT SIGNS**

a. **Off-Site Signs**

3. **Off-site signs** ~~can only be placed at a location that was approved by the planning board for a site plan and~~ **must follow the setback requirements of the zoning ordinance for a structure.**

b. **On-site Signs**

4. ~~On-site signs can only be placed at a location that was approved by the planning board for a site plan.~~ Chairman Cohen noted this change is because of the 10-foot setback and has been added into the Table 1 – Chart of Uses.

Chairman Cohen called for discussion. Barron inquired if real estate signs have to be 10-feet from the road. Dawson noted that real estate signs are exempt according to the definitions. Chairman Cohen called for any further discussion. With none heard, Chairman Cohen called for a motion.

A **Motion** by Barron for the Planning Board to recommend the proposed changes to the Sign Ordinance as amended and present to the Town voters. K. Eldridge seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.** (Recommended by Planning Board, 5-0-0)

At this point in time, Chairman Cohen closed the public hearing at 7:04 pm.

Chairman Cohen open the Planning Boards regularly scheduled meeting at 7:04 pm.

### **Regular Public Meeting**

**Public Input:** Chairman Cohen called for public input unrelated to any case being presented tonight. None was heard.

**Meeting Minutes:** Review to approve Meeting Minutes of January 3, 2023

A **Motion** by Dawson to approve the meeting minutes of January 3, 2023. K. Eldridge seconded. No discussion. All others voted by a show of hands. Barron abstained. **Motion passed.**

### **Informal Discussion:**

- Tim Swinerton of 525 Route 25 East. Tax Map: 049 Lot: 003 presents for a conceptual (8) lot subdivision plan off Pequawket Trail Rd.

Doug LaRosa of Civil Works Engineer for Northam Survey, LLC presents as representing agent for Joe Griffin, Tim Swinerton and Debbie Wade. Doug LaRosa informed the Board the parcel is 22 acres in the rural zone on the corner of Pequawket Trail and Route 25 East. Doug LaRosa presented a conceptual plan of a 10-lot subdivision. Two lots with frontage on Route 25 with an existing driveway from Route 25 that cuts across proposed lot 4. The plan is to put a driveway easement from across proposed lot 4 to access proposed lot 3. Doug LaRosa spoke with NHDOT and will be sending a conceptual plan for the proposed driveway and easement. From Pequawket Trail Road the proposed plan is to put an approximately 900-foot cul-de-sac access road with a 50 foot right of way to access the other 8 lots.

Doug LaRosa noted the plan needs a little tweaking, namely it needs a 240-foot road radius from the center line per subdivision regulations. This conceptual plan was to see how many lots they could get. Doug LaRosa noted the property abuts a gravel pit. The lots are all gravelly, sandy soil. Test pits will be done for each lot to ensure they meet the zoning requirements per lot size. Doug LaRosa noted the lots are all "A" soil and will be a little more than an acre each. The road will need some work to level the grade. The plans is to have 10 lots to sell, but 9 will be for housing. Lot owners will be responsible for septic and wells.

Discussion ensued about meeting setbacks for each lot. Doug LaRosa inquired if a traffic study would be required. Board discussed trip rates noting it to be +/- 1,000 trips. Doug LaRosa inquired if the Planning Board uses third party review. Barron commented third party review have been used in the past but not recently. Barron commented he does not see an issue as long as they stay within the regulations, grades, lots, wells and septic's. Chairman Cohen noted septic and wells will need state approvals. Doug LaRosa stated they will need state subdivision approval but septic and wells will be the new lot owners responsibility. Doug LaRosa noted they won't need an Alteration of Terrain permit for the access road.

Bruce Stuart arrived at 7:13 pm.

Doug LaRosa commented Tim Swinerton and Debbie Wade will be taking the large lot in the back for their own. Barron and Doug LaRosa discussed how each lot has a less than 35% slope. Each lot will have a driveway accessible with less than 10% grade. Doug LaRosa closed stating again that they are going to tweak the plans by straightening the access road so it does not have such a curve. Doug LaRosa said they will come back with a final plan and application three weeks before a meeting date. The secretary will assist with the abutters letters and final cost will be determined when they meet to go over the application.

**Financial:** 2022 Year-end Expenditure Report was reviewed noting that wages and benefits are over budget due paying for an additional secretary while the regular secretary was out on medical leave.

### **New Business:**

- Law Enforcement Records under Right-to-know Law

Chairman Cohen read an email from Jonathan Smith concerning could the FOIA exemptions apply to offices of a municipality other than the police department. The response is yes, “Enforcement of a zoning ordinance under RSA 676:17, V, qualifies as a law enforcement activity that would justify non-disclosure of a complaint or the complaining parties identity.”

Barron commented “he disagrees with this ruling because under the Bill of Rights and the Constitution, a person has a right to know his accuser. The government doesn’t have the right to make that law but they do it anyways.” Chairman Cohen commented this is for information purposes only.

- Aries Engineering, LLC response to “Friends of White Pond” Petition Warrant Article

Discussion ensued over this having to go to the voters. The secretary reported that Ossipee Ag hired the engineering firm to review the proposed changes but have discredited all aspects of the document. The secretary stated, per legal counsel this is an illegal petition warrant article. It holds no standings and the voters have no say. It is the Planning Boards authority to regulate the gravel pits and to determine the regulations under RSA 155:E.

Chairman Cohen stated no action will be taken, this is for information purpose and is **Taken under Advisement only.**

### **Unfinished Business:**

- **Master Plan:** Stuart stated he has submitted the grant application.

**Next Meeting:** February 7, 2023 @ 7:00 to be held at the Freight House

### **Important Dates:**

**Thursday, January 26, 2023:** 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 February 6]

**Monday, February 6, 2023:** 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 February 7]

**Tuesday, February 7, 2023:** Last day for official copy of final proposal to adopt or amend zoning ordinance, historic district ordinance or building code to be placed on file at the town clerk’s office. [RSA 675:3, V-fifth Tuesday before town meeting]

**Tuesday, February 7, 2023:** Last day for 25 or more voters or 2% of the total, whichever is less, but in no case fewer than 10 voters, to petition select board to include an article in the warrant. [RSA 39:3 – fifth Tuesday before town meeting]

Chairman Cohen called for any other business.

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

The secretary reported the zoning changes have gone to the attorney. His comment back was WOW! He had one question on article 4, which was answered. So now were waiting for the final articles for the ballot.

K. Eldridge inquired if Mike Stevens of 1800 Route 16 had submitted his Site Plan Review application. The secretary report not as of this date.

Chairman Cohen called for a motion to adjourn.

**Adjournment:**

A **Motion** by Stuart to adjourn. K. Eldridge seconded. No discussion. A unanimous vote was taken. **Motion passed. Meeting adjourned** at 9:12 PM.

Minutes approved by majority vote of the Board on –

\_\_\_\_\_  
Date

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Sharon “Sharie” Cohen, Chairman  
Ossipee Planning Board

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Bruce Stuart, Vice - Chairman  
Ossipee Planning Board