

**OSSIPEE PLANNING BOARD  
MEETING MINUTES  
June 20, 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:** Bruce Stuart, Vice Chairman 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:** Bruce Stuart, Vice Chairman, Ash Fischbein, Roy Barron, Krystal Eldridge, Brian Ames, and Melissa Ames (Alternate)

**Absent:** Sharon “Sharie” Cohen, Chairman,

Vice-Chairman Stuart raised Melissa Ames up to voting status in place of Sharie Cohen.

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

**Meeting Minutes:** Review to approve Meeting Minutes of April 18, 2023 and June 6, 2023.

Since three of the attending members were absent for the April 18, 2023 meeting, and unable to vote on the minutes due to a lack of quorum, Vice-Chairman Stuart moved the approval of the April 18, 2023 minutes to the next meeting on June 20, 2023.

A **Motion** by Fischbein to approve the Meeting Minutes of June 6, 2023 as amended. K. Eldridge seconded. No further discussion. Brian Ames abstained since he was not in attendance for the meeting. All others voted in favor. **Motion passed.**

**Master Plan:** Housing Chapter – Vice Chairman Stuart introduced Carol Ogilvie and Ivy Van, who will be helping the Planning Board with updating the Master Plan’s Housing section. Carol and Ivy gave a brief description of their plan and timeline. Carol Ogilvie will contact Vice-Chairman Stuart with any questions and to arrange any presentation dates.

**Informal Discussion:**

- **Jeddey Gravel Pit:** Bryan Berling of Land Tech to discuss the renewal of the John Jeddey Gravel Pit of 16 Polly’s Crossing Rd. Tax Map: 244 Lot: 002.

Bryan Berling of Land Tech presents to discuss with the Board a Notice of Decision letter from November 7, 2019, granting the renewal of John W. Jeddey of 16 Polly Crossing Rd. Tax Map: 244 Lot: 002. Per Article SECTION VIII – PERMITS: 8.1 Granting of Permit (B) A permit shall be valid for a maximum of six (6) years and the expiration date shall be specified, meaning the permit is valid until November 2025. The AoT Permit was issued in November 2019 and is valid until November 2024.

The Board thanked Bryan Berling and John Jeddey for the information and will update their records accordingly.

- **John DeVito,** Owner of 18 Moultonville Rd. Tax Map: 092 Lot: 079 presents to discuss the need for a Site Plan Review.

John DeVito read PB minutes from December of 2022 when he came before the Board for a non-binding Informal Discussion. Now he has a couple Nicole & James Walsh wanting to open a bagel and sandwich shop and since it's the same use as Smokin Gun's, he questions the need for a Site Plan Review.

Vice-Chairman Stuart noted the property is in the village district so there's no issue with the proposed use. Discussion ensued over the length of time the store area has been vacant from previous Smokin Gun's BBQ. The Board agreed it has not been vacant for two years in fact Gary LaFoe's lease was up in July of 2022.

Back when Smokin Gun's BBQ had come before the Board; the Board at that time disagreed with the length of time it was vacant and ultimately Gary LaFoe was told he did not need a Site Plan Review. But in actuality prior to Smokin Gun's BBQ, the space had been vacant for almost 4 years and should have been required to apply for a Site Plan Review.

The Board clarified with John DeVito the need to apply for the Site Plan Review. Discussion ensued about getting an approved Site Plan Review on file to alleviate any confusion going forward.

Barron suggested with the approval of the Zoning Officer, Jonathan Smith to allow the Bagel shop to open but allow two months to get the Site Plan Review completed. John DeVito was going to suggest the same idea. Jonathan Smith agreed noting that the Board should set a time limit for the application process to be completed and if Mr. DeVito does not follow through the Bagel Shop will be shut down. Discussion ensued over how much time to allow for the Site Plan Review process. Suggestions were made for a deadline of July 18, 2023 to get the Site Plan Review application submitted with the contingency that Bryan Berlind of Land Tech can get the plans drawn up in time.

A **Motion** by Stuart for John DeVito of 18 Moultonville Rd. a Condition Approval to temporarily open the Bagel/Bakery Shop business for July 1<sup>st</sup>, 2023 without a Site Plan Review provided upon filing the application submittal by July 18<sup>th</sup>, 2023. K. Eldridge seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

John DeVito was reminded that if Bryan Berlind is unable to complete the plans and application for the July 18<sup>th</sup>, 2023 submittal, he is contact the Boards & Commissions secretary to request a continuance to a date certain.

**New Business:** Vice-Chairman Stuart read the following case descriptions

- **Case #23-01-SUBD:** Pitchfork Holdings, LLC c/o Evans Brothers, LLC. Representing Agent: Christopher Berry of Berry Surveying & Engineering for 800 Route 16, Tax Map: 124 Lot: 007 is requesting a proposed (7) Lot Subdivision of the 19-acre parcel. The following permits pending approval and other application revisions needed: (Case continued from June 6<sup>th</sup>, 2023)

- Email request received on June 14, 2023 to Continue the case until July 5, 2023

1. Local Subdivision Approval
2. Local Zoning Board Approval – Not needed
3. NHDES Subsurface (State Subdivision)
4. An updated NHDOT Permit – for driveway
5. EPA Notice of Intent and Stormwater Pollution & Prevention Plan
6. Natural Heritage Bureau (NHB)
7. Department of Historical Resources (DHR)
  - a) Update narrative to remove the need for a variance
  - b) Updated plans
  - c) Balance of Application Fees
  - d) Fire Chief's Letter of Approval

A **Motion** by Barron to Approved the Continuance of **Case #23-01-SUBD:** Pitchfork Holdings, LLC c/o

Evans Brothers, LLC. Representing Agent: Christopher Berry of Berry Surveying & Engineering for 800 Route 16, Tax Map: 124 Lot: 007 until July 5, 2023. Fischbein seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

- **Case #23-03-SPR:** Amy & Todd Gogolowski of 1550 Route 16. Tax Map: 053 Lot: 092 is seeking a Site Plan Review to operate a business called Wicked Wares and proposing to use the existing two-story barn as a seasonal Antique and Craft retail store. The Resale store will be open approximately 6 months, May 1 to November 1. In addition, sale of plants and garden variety will be available for future sales once the greenhouses are constructed. The single-story red storage barn is currently used for storage/workshop and will continue to be used for storage and workshop. (Case Continued until July 5, 2023 pending Deed research on Right of Way access and to complete the application form)

- **Case #23-05-SPRA:** M&V Convenience Store c/o Vaccaro Realty Trust. Rep. Agent: Mark & Jacob McConkey of McConkey & Associates for 2250 Route 16. Tax Map: 015 Lot: 016 in the Roadside Commercial District is seeking a Site Plan Review Amendment to repurpose the existing building that housed the car wash/boutique to become a two-bedroom apartment with four lodging rooms that will share a common kitchen for employee housing. Charlie's Barber Shop is being repurposed to permit the addition of a takeout window for patrons that choose not to come inside for groceries and other accoutrement's. Requesting Waiver's from Zoning Ordinance 5.4 Glare and 5.5 Storm Water Drainage.

Mark McConkey and Vince Vaccaro, members of Vaccaro Realty Trust and operators of M&V Convenience Store. In 1998, 25 years ago move M&V Convenience Store from Center Ossipee to West Ossipee. The ZBA had granted variances for relief from Table 2- front setback and side setbacks reductions and Article 4.6.4 reducing commercial parking and Article 20.21 to allow a car boutique to be constructed in the water resource protection district. That same year the Planning Board approved a Site Plan Review for the same property, which now includes then the convenience store and car boutique carwash. Included in the application is a copy of the ZBA and Planning Board approvals, and the NHDES Subsurface Construction approval for the new proposed uses.

Mark McConkey and Vince Vaccaro present with updated plans to repurpose the car boutique carwash to become a 2 – bedroom apartment, 4 – lodging rooms, and a common kitchen for employee housing. Charlie's Barber Shop is being repurposed to permit the addition of a takeout window for patrons that choose not to come inside for groceries and other accoutrement's. Our plot was generated

Our plot was generated by Licensed Land Surveyor, Paul King, and his stamp is affixed to the plans generated by Jacob McConkey. Also included is a letter from Chief Carl Huddleston of the West Ossipee Fire Department. Saying that he has reviewed the proposed lodging room and apartment project and approves our site plan, adding three conditions on his letter. All of which we don't have an issue.

We also received New Hampshire DOT Amended Driveway Permit approval to include the new uses. The specification permits authorizing paved access to be used as a gas station, store, pizza restaurant and residential drive.

Our plan before you, we believe is necessary to update our previously approved Site Plan Review. It includes accurate description of the buildings, parking spaces, snow storage, utilities and includes soil type. As this is an existing facility with no additional structures, we are requesting two waivers.

Waivers Requested are from Site Plan Regulations 8.02.4 – Outdoor Lighting and 6.04.04 H (9)- Surface Water Drainage and 8.03.4 Surface and Storm Drainage.

Mark McConkey reviewed the plot plan with the Board members. The carwash section of the building will be reconfigured to (1) 2-bedroom apartment and 4-lodging rooms. Each lodging room will consist of a bed, a cabinet, 1- bathroom with a community kitchen area.

The Fire Chief is requesting:

1. The Lodging Rooms and Apartment shall be equipped with a current NFPA code compliant Fire Alarm System.
2. The Lodging Rooms and Apartment shall have a current NFPA code compliant 13D Fire Suppression System Installed.
3. A 1 hour Fire Rated wall shall be installed to isolate the Lodging Rooms / Apartment from the other portions of the building.

Parking has been made to accommodate the change in use to 35 spaces with 2 - spaces designated as handicapped parking. The driveway will circle around to the backside of the building for the Chick-fil-a drive through via the left (northerly) side of the building. NHDES septic approval is existing but if the delivery service continues then a new septic system will be required. McConkey noted they are going to replace the septic system because they want to get the drive through operational.

Fischbein noted that all the plans need the certification for the signature block. While the Board reviewed the plans further McConkey amended the plans with the certification statement per SPR Regulation Section: 6.04.04 B.

Vice-Chairman Stuart called for any discussion from the Board. None heard.

Waiver Requests: from Site Plan Regulations

A **Motion** by Fischbein for **Case #23-05-SPRA**: M&V Convenience Store c/o Vaccaro Realty Trust. of 2250 Route 16. Tax Map: 015 Lot: 016 to approve the waiver request for Section 8.02.4 – Outdoor Lighting. Baron seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion Passed.**

A **Motion** by Fischbein for **Case #23-05-SPRA**: M&V Convenience Store c/o Vaccaro Realty Trust. of 2250 Route 16. Tax Map: 015 Lot: 016 to approve the waiver request for Section 6.04.04 H (9)- Surface Water Drainage. Baron seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion Passed.**

A **Motion** by Fischbein for **Case #23-05-SPRA**: M&V Convenience Store c/o Vaccaro Realty Trust. of 2250 Route 16. Tax Map: 015 Lot: 016 to approve the waiver request for Section 8.03.4 Surface and Storm Drainage. Baron seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion Passed.**

A **Motion** by Fischbein to accept the application as complete for **Case #23-05-SPRA**: M&V Convenience Store c/o Vaccaro Realty Trust of 2250 Route 16. Tax Map: 015 Lot: 016. Baron seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion Passed.**

Vice-Chairman Stuart read called for public input. None Heard.

A **Motion** by Fischbein for **Case #23-05-SPRA**: M&V Convenience Store c/o Vaccaro Realty Trust of 2250 Route 16. Tax Map: 015 Lot: 016 is Granted a Site Plan Review Amendment to repurpose the existing building that housed the car wash/boutique to become (1) two-bedroom apartment and (4) lodging rooms with a shared a common kitchen area for employee housing. Charlie's Barber Shop is being repurposed to permit the addition of a takeout window for patrons that choose not to come inside for groceries. K. Eldridge seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion Passed.**

***Vice-Chairman Stuart and Fischbein Noted: 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 # 23-05-SPR & Case # 23-01-SUP**: Whiting's Auto Motive Repair c/o Kurt Whiting of 821 Browns Ridge Rd. Tax Map: 279 Lot: 002 in the Rural Unimproved/Water Resource Protection District is requesting a Major Site Plan Review and a Special Use Permit to move operations of Whiting's Auto Motive Repair business out of the family home into the adjacent property to construct a building to house his towing

business along with the area inside the building to offer light auto repair. Rep. Agent: Mark & Jacob McConkey of McConkey & Associates.

Mark McConkey provided the Board with a copy of the Groundwater Recharge Volume Calculation form and NHDES Best Management Practices for Motor Vehicle Recyclers Guide sheet #6, which the applicant is already adhering to, but they wanted it to be part of the record. Kurt Whiting is looking to move operations of Whiting's Auto Motive Repair business out of the family home and onto the adjacent property. Mr. Whiting will construct a new building to house his towing business along with the area inside the building to offer light auto repair.

Mark McConkey noted they have received ZBA Variance approval to have Whiting's Auto Motive Towing & Repair in the rural district. Several letters from abutters were submitted in favor of a variance approval. They have received septic plan approval for construction. The floors will have drains for flow down to a discharge holding tank and the Special Use Permit application is enclosed in the packet. They have received NHDES Permit approval for a Nondomestic Wastewater 2,500 gallon Discharge Holding Tank to ground water. Part of the construction agreement with NHDES, they have to work with a licensed contractor to haul those materials out and the tank has to have high water mark on it or high liquid alarm similar to a septic tank.

Vice Chairman Stuart inquired if the tank is double walled. McConkey stated they showed it on the plans by specifications as a water tight septic tank. Vice Chairman Stuart inquired if NHDES requires containment for the tank. McConkey noted there is no reference to that in their regulations at this time. Multiple conversations ensued. Vice Chairman Stuart noted it would go out classified as oily waste. McConkey referred the Board to NHDES permit letter in the packet. McConkey noted it's water tight connections from the slab through the building, there's an inspection process and then it's watertight to the tank itself and everything is gravity to that point.

Barron asked if the tank will be below the freezing point. McConkey that It was a great idea. Because you do have biological activity in the septic tank that could freeze. McConkey will note that the tank will be deep enough and/or insulated sufficiently so that it's not going to freeze. They will accept that as a condition.

McConkey provided a Groundwater Recharge Volume calculation. Department of Environmental Services has a program available where you plug in how much area is impervious, how much is not, how big you're going to be, and we come up with calculations for infiltrator trenches, like something you would use around the house or the shoreland of 16-inch-wide stone bed. Water comes off the roof goes into the infiltration trenches and falls into the subsurface. With the soils being well drained. We are capturing the water that's coming off the roof of the building and the water from the proposed driveways and sending it into stone lined trenches and flowing towards Route 16. Paul King is a licensed stormwater engineer who has certified their calculations. McConkey commented there's 110 ft. of greenspace unaltered towards Route 16. McConkey stated they had a licensed surveyor and licensed engineer provide the data and McConkey and Associates put the rest of the documents together.

The Fire Chief's letter is enclosed and the plan was reviewed again with the Chief to ensure turn radius for fire apparatus to maneuver around. The Chief requested that the parking space next to the building be relocated and will comply with the requirement. They did not follow through with sending letter to the ZBA or the Selectmen after the Groundwater Protection hearing but did follow through with notifying the Fire Department and others. McConkey the plan in detail with the Board.

Fischbein inquired of the difference between a plot and a plan. McConkey explained that plot should be removed because Paul King has certified both the survey and the stormwater drainage. The Board noted that the requirement for the Special Use Permit look satisfactory, greenspace is noted.

While the Board reviewed the plans further McConkey amended the plans with the certification statement per



SPR Regulation Section: 6.04.04 B.

Vice-Chairman Stuart read called for public input. None Heard.

Vice-Chairman Stuart moved on to the Special Use Permit.

A **Motion** by Barron for **Case # 23-01-SUP**: Whiting's Auto Motive Repair c/o Kurt Whiting of 821 Browns Ridge Rd. Tax Map: 279 Lot: 002 in the Rural Unimproved/Water Resource Protection District is Special Use Permit to offer light auto repair in the rural district. B. Ames seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

A **Motion** by Stuart to accept the application as complete for **Case # 23-05-SPR & Case # 23-01-SUP**: Whiting's Auto Motive Repair c/o Kurt Whiting of 821 Browns Ridge Rd. Tax Map: 279 Lot: 002. Fischbein seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

A **Motion** by Barron for **Case # 23-05-SPR & Case # 23-01-SUP**: Whiting's Auto Motive Repair c/o Kurt Whiting of 821 Browns Ridge Rd. Tax Map: 279 Lot: 002 in the Rural Unimproved/Water Resource Protection District is Granted a Major Site Plan Review and a Special Use Permit to move operations of Whiting's Auto Motive Repair business out of the family home onto the adjacent property to construct a new building to house his towing business along with the area inside the building to offer light auto repair. With subsequent condition to ensure that the NHDES Holding Tank is water tight and at sufficient depth to prevent freezing. All Federal, State and Local Regulations are followed.

Jonathan Smith, Zoning Officer commented that the NHDES permit does state that the tank is inspected everytime it's pumped.

With no further discussion, Vice Chairman, Stuart called for a second. B. Ames seconded the motion. A unanimous vote was taken by a show of hands. **Motion passed.**

Fischbein ***Noted: 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 # 23-02-SUBD**: Good To Go Properties, LLC c/o Deborah Wade of 525 Route 25 East. Tax Map: 049 Lot: 003 in the Rural Unimproved District is seeking an 11 Lot Subdivision for a proposed residential development with associated site improvements, including site access, grading, drainage, and utility connections. The residential development will be served by on-site wells and on-site septic systems. The residential development will require State of NHDES Subdivision Approval, NHDOT Driveway Permit, and a Site Plan Review (Major). Rep. Agent: Douglas J. LaRosa of Civilworks New England.

Douglas J. LaRosa presents plans for an 11 lot subdivision. Good to Go Properties, LLC, the owner/applicant of Tax Map 49, Lot 3, is proposing a residential development with associated site improvements, including site access, grading, drainage, and utility connections. The project site contains 21.83 acres and proposes 11 lots. Lot size has been calculated to meet minimum lot area by soil type per State of NH DES criteria and Town of Ossipee Lot Sizing criteria. Each lot has a minimum of 200' of road frontage. Of the 11 lots, 8 lots will have access off a proposed 956' new road called "Lake House Lane" (from Pequawket Trail Right of Way to center of cul-de-sac) and 3 lots will share a proposed common access with the Ossipee Valley Masonic Temple from an existing driveway located at the southwest corner of the abutting Tax Map 47, Lot 1 on NH Route 25 (also known as Ossipee Trail).

Fire Chief Dana Cullen has given a verbal approval pending receipt and review of the plans before submitting a letter in writing to the Planning Board. Doug La Rosa reviewed with Chief Cullen the 20 ft. wide access road, the 20 ft. wide with 4 ft. shoulders for the new road and a 25 ft. cul-de-sac turn around, who verbally stated this is satisfactory and did not require any outside cisterns.

The project is located on Pequawket Trail and Route 25 (Ossipee Trail) in Ossipee, NH. The lot is an undeveloped rural lot containing 21.83 acres that is bounded by Pequawket Trail to the east, residential lots to the north, Route 25 to the south, and Tax Map 47, Lot 1 to the east. The lot currently features young growth trees and grass combination. Soil types are well drained of NCRS Champlain and Boscawen. There are no wetlands, poorly drained soil, or very poorly drained soil on-site. The topography is undulating with a ridge running north south about 400' off Pequawket Trail along the entire lot. The lot drains from north to south for the majority of the lot with a portion of the lot draining north and a portion of the lot draining east.

A NH DOT Driveway Permit will be required for this change in use to the existing NH DOT Driveway Permit. All driveways shall have 200Ft. safe sight distance on Pequawket Trail and 1,000 ft. of safe sight distance on Route 25. The proposed residential development will be served by on-site wells and on-site septic systems and is pending State of NH DES Subdivision Approval. The proposed development traffic on the cul-de-sac road will be an average of 80 trips per day. The proposed road will meet the Town of Ossipee Subdivision Regulation criteria. The development traffic on Route 25 will be 30 trips per day. The plan shows each lot being sold as lots. It will be up to the buyer to determine the type of housing, septic and well locations and will require state and local approvals.

The Drainage Analysis was done. They will be using a proposed drainage easement in the center of the property. The drainage is managed by creating roadside swales to collect water to a low point, treat the run-off in a treatment swale and infiltrate the water in an infiltration basin. Water quality to be maintained by low impact development which includes treatment and infiltration of stormwater and decreasing the post-Development peak rate of stormwater run-off.

Jonathan Smith noted that this property is also in the Water Resource Protection District. Smith informed the Doug La Rosa that they cannot clear cut and must leave 30% of the land in its natural vegetative state according to the ordinance. Doug La Rosa commented that there is young growth and sapling forest because it had been obliterated 10-12 years ago. Doug La Rosa estimates there is approximately 5% over 6 inch diameter trees. Barron commented that as long as there over 6 inches, they're okay because anything under 3 inches in diameter does not count.

Fischbein inquired if they have a record of access to the right of way of the easement of the Masonis Temple Lodge. F.X. Bruton of Bruton & Berube, PLLC stated the deed out to the lodge of 35 years ago makes a slight reference to a right of way they would have access to. NHDOT issue a drive way permit to the Masonic lodge with the knowledge that the right of way crossed this property.

Vice-Chairman Stuart read called for public input.

Dallas Emery requested clarification on the law; noting he understood that for subdivisions there needed to be a 50 ft. driveway. Doug La Rosa clarified the subdivision regulations require a 50 ft. wide right of way. The Subdivision Regulations also require when you have less than 100 trips per day and we will average about 80 trips per day; the requirement is a 20 ft. wide road with a 4 ft. shoulder and they have a 50 ft. right of way. Doug La Rosa referred to Subdivision Regulations Section: 12.35 -Table of Minimum Road Standards for the required measurements along with Section 12.31 (C) – Driveways for the 50 ft. right of way requirement.

Fischbein noted the certification statement in the signature block is not the standard statement for the Planning Board. Discussion ensued over the verbiage and Doug La Rosa agreed to have them match. Doug La Rosa requested for a conditional approval from the Board pending receipt of the Fire Chief's letter, State Subdivision Approval.

Barron noted they cannot start any work until they receive final approval from the Board. Doug La Rosa noted that Varney Logging spoke with the owner to cut the trees and take them in the right of way.

B. Ames noted that lots 9 through 11 will share a driveway not an access road. Doug La Rosa they will prepare a shared driveway agreement with the deeds and the owners will need to sign it when they purchase the property.

A **Motion** by Fischbein to accept the application as complete for **Case # 23-02-SUBD: Good To Go Properties, LLC c/o Deborah Wade of 525 Route 25 East. Tax Map: 049 Lot: 003 & Pequawket Trail** seeking a proposed 11 Lot residential Subdivision. Barron seconded. A unanimous vote was taken by a show of hands. **Motion passed.**

A **Motion** by Barron for **Case # 23-02-SUBD: Good To Go Properties, LLC c/o Deborah Wade of 525 Route 25 East. Tax Map: 049 Lot: 003** in the Rural Unimproved District is Granted Conditional Approval for an 11 Lot Subdivision for a proposed residential development with associated site improvements, including site access, grading, drainage, and utility connections. The residential development will be served by on-site wells and on-site septic systems. Pending the following conditions:

1. Fire Chief's letter of approval
2. State of NHDES Subdivision Approval,
3. Mylar plan for recording with CCRD
4. All Federal, State and Local Regulations shall be followed.

Stuart seconded. No discussion. A unanimous vote was taken. **Motion passed.**

***Vice-Chairman Stuart and Fischbein Noted: 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.***

#### **Unsatisfied Conditions:**

- **Case #23-02-SPR:** Michael Stevens of 1800 Route 16. Tax Map: 038 Lot: 020 - **Pending:** NHDOT Driveway approval. **Received NHDOT and unsigned Approval on 05/31/2023.** Spoke with Mike Stevens via email and will forward a signed copy to the Boards and Commission office.

#### **Unfinished Business:**

- **Master Plan:** Housing Chapter Discussion was discussed earlier in the evening.
- **Finalize SUBD/BLA:** regulations, application and fee schedule.

All documents were reviewed by the Board. The secretary noted under Section 7, it refers to "Minor Subdivision" which promptly questioned about a major and what the differences were. After research, a Minor SUBD is for 3 - lots and less, and a "Major SUBD" is for 4 - lots or more. So, a category was created to substantiate the differences and the fees accordingly. The same was done for Boundary Line Adjustments.

**Site Plan Review:** a category was created for Amendment and the fee schedule was adjusted accordingly.

**Lot Mergers:** The secretary is suggesting a \$25.00 application processing fee. Currently, the Board does not charging a fee except the recording fee which goes to the Carroll County Registry of Deeds (CCRD) but the work is done through the Boards and Commissions office. Discussion ensued over whether the fees are revenue to the Board or applied to the General Fund. Barron commented the General Fund.

Fischbein suggested adding the CCRD's fees to the Planning Boards Fee Schedule. The secretary noted the fees are changed yearly and each year she prints a copy for the office, so if an applicant wants to know the fees it's readily available.

The public hearing to present to the public and approve is scheduled for July 5<sup>th</sup>, 2023. Final amendments will be made and posting will take place next week.



**Subdivision Application:** has been redesigned to mimics the Site Plan Review application along with each section of the regulation noted for waiver request. Fischbein noted a couple of corrections of “except” should be “accept” and the Please Note: statement should reflect that no work is to commence until final approval is granted. Stuart referred the SPR Section 6.01.3. Discussion ensued. The Board suggested the statement read in accordance with Section 6.05.3 (B).

**Notices:**

- **Case # 23- 04-V:** Laurianne & Brian Bennett of 47 Effingham Rd. Tax Map: 248 Lot: 010 Sub: 001 is requesting a Variance from Article: 6.4.2 (a) – Side Setback per Table 2 for an After the Fact High Tunnel approximately 10 ft. from the side setback that was previously installed by the USDA. This property will require a Site Plan Review if the Variance is granted. (Case Continued from May 9, 2023)
  - Email received on May 30, 2023 requesting to withdraw their variance application. ZBA Accepted and Approved the request on June 13, 2023.

The Board acknowledged the receipt of the ZBA notice and questioned how this is being resolved. The secretary explained that the Zoning Officer has allowed Mrs. Bennett to retain the use of her high tunnel during this year’s growing season, so she does not lose her crops. But come fall when the growing season is over, she is to relocate the high tunnel to meet setback requirements. Vice Chairman Stuart inquired about the placement of the yurts. The secretary informed the Board per the Zoning Officer that Mrs. Bennett cannot apply for a Site Plan Review for the yurts until the high tunnel is relocated.

**Next Meeting:** July 5, 2023 at the Freight House

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

Vice-Chairman Stuart called for a motion to adjourn.

**Adjournment:**

A **Motion** by Barron to adjourn. Stuart seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed. Meeting adjourned** at 8:54 PM.

Minutes approved by majority vote of the Board on –

\_\_\_\_\_  
Date

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

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Bruce Stuart , Vice - Chairman  
Ossipee Planning Board