

**OSSIPEE PLANNING BOARD  
MEETING MINUTES  
January 3, 2017**

Minutes recorded by and transcribed by Laura Nash, Planning Board Secretary; amendments are noted by ***bold/italic*** type.

Live Recording of meeting can also be found on <http://www.governmentoversite.com>.

**Call to Order:** Chairman, Ski K., called the meeting to order at 7:03 p.m.

**Attendance by roll call:** Ski Kwiatkowski – Chairman, Connie Billings – Vice Chairman, Bob Gillette, Roy Barron, Dennis Legendre, Bruce Parsons, Rick St. Jean and Steve McConarty (ZEO). **Absent:** Frank Riley

**Meeting Minutes:** Meeting Minutes of January 17, 2017 meeting.

**Unsatisfied Conditions: (continued from previous PB Mtgs) Ski noted - NO UPDATES**

Board	Date	Applicant	List of Conditions
PB	11/03/15	LBWD	Ltr stating manufacturing/light industry only. – To be sent by PB
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: Pending #1: Water Supply Approval
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: Pending #2: Subdivision Approval
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: Pending #3: NHDES Septic Approval

**Informal Discussion:**

*(Informal discussions are non-binding, any comments or discussion heard, are non-binding on either party.)*

**Steven Brown** – interested in leasing the old Indian Mound Hardware Tax Map: 73 Lot: 107 space for opening a health club/gymnasium. PB discussion over need for Site Plan Review based on two points were 1. Change in use and 2. Vacant for more than two (2) years. PB to review State Statutes on topic. Steve McConarty met with the Fire Chief today and did a walk through and everything is fine. After further discussion and deliberation between Board members general census was no Site Plan Review is needed because Steve Brown does not own the property he is only leasing a portion of the building and there is ample parking, septic and Fire approval.

**Motion:** by Connie B., and seconded by Rick St. Jean that no Site Plan Review is needed. Ski K, Connie B., Roy B., Dennis L., Rick St. J., and Bruce P., voted in favor. Bob G., opposed. **Motion passed 6 – 1.**

**New Business:**

- **Budget & Revenue Report** – 12/01/2016 – 12/21/2016, Ski noted the PB has a revenue of \$6,537.35, and he feels the PB does contribute to the cost of town.
- **Case # 16-7-SPR:** Valley Point, LLC c/o White Mtn Survey, Tax Map: 7 Lot: 11. Build a 5,000 sq. ft. convenient store w/ 25 parking spaces, drive-up window for coffee & prepackaged food, 8 fuel pumps on 4 islands, etc....

Prior to the case being heard Connie B., noted due to the secretary's recent illness the abutter notices were not sent out more than 10 days prior to hearing the case and a letter from an abutter was received today indicating this discrepancy.

**Motion by Connie B.,** and seconded by Roy B., to continue the case until January 17, 2017 PB meeting to give sufficient time for abutters to respond. All voted in favor by show of hands.

**Mark Lucy** – White Mtn. Survey & Engineering, Inc. agreed and chose to give an informal discussion of the plan and will give a formal presentation on January 17<sup>th</sup> meeting.

Key points of the design were:

1. Location: 2400 Rte. 16 and corner of Rte. 41 in the Commercial Node District with an overlay in the Water Resource Protection District
2. 5,000 square foot Convenient Store with drive-up coffee service, patron restrooms within the building, 8 fuel pumps on 4 islands under canopy. To have 25 parking spaces includes 2- ADA parking spaces and separate employee parking out back.
3. Access will be two driveways - one off Rte. 16 and one off Rte. 41.
4. In July 14, 2015, Case #15-4-V - two Variance were granted allowing – (1) gas stations in this district and (2) use of underground storage tanks.
5. 600 gallon per day flow for septic system and on site well with 100 ft. protective radius. Soil testing to be done within next 2 weeks.
6. Lot Coverage of 62.5 percent.
7. West Ossipee Cemetery will be providing open access to cemetery and will have further discussion with the Trustees.
8. Drainage system to be subsurface. Ground water elevation to be between 23 – 29 feet below grade
9. Pending three NHDES approvals for driveway, septic and water well permits.
10. Lighting to comply with State Regulation
11. Flood plain areas approximately below elevation 422 are within the 100 year flood plain. No jurisdictional wetlands with in the area.
12. Lot is just over 2 acres and design meets AoT Standards
13. Mitigation – over 20+ years of monitoring of old underground storage tank. Per NHDES the oldest of the tanks was installed in 1911. All tanks have been removed and property has been under mitigation since early 1993. There are monitor wells with vapor extraction operation underway and per NHDES well are still polluted. NHDES job # 199309040 includes over 60 pages of testing and continues to fund mitigation of this site. Mitigation is the responsibility of either two parties as owner of record or through a provision in the Purchase and Sales Agreement that responsibility can remain with the previous owner.
14. Curb appeal and landscaping of grass, trees, and fencing will be done to comply with NHDOT, OZO and abutters.
15. Installation of 4-way light intersection

**PB members** posed some initial questions and concerns for Mark to address on the January 17<sup>th</sup>. **Bruce P.**, also noted Sam Martin has submitted documentation outlining the current water contamination levels for this site. No other comments from the public.

### **Old Business:**

- **Accessory Dwelling Units (ADU's):** Status update – Bob submitted 3 samples from other Town's. Steve McConarty submitted an Advance Copy of ADU Regulations being submitted to the Selectmen for approval at January 4<sup>th</sup> meeting and will be heard at the Public Hearing on January 17, 2017 at the Freight House at 7:00 pm before the regular Planning Board meeting.
- **Master Plan 2016 Revision** – Work Group Committee: Bob Gillette, Rick St. Jean, and Dennis Legendre: **Status Update:** No updates from work committee.
- **Jones & Beach Engineers, Inc.** invoice = \$6,679.75: Draft Letter submitted for review. Bob G., dismissed the letter provided by the secretary and would send his wording to the secretary for the letter.

**Letters: (FYI – ONLY)**

**Dan Hole Pond Watershed Trust** – Selectmen posted a Notice of Public Hearing to be held on January 9, 2017 at 5:00 pm. at Avery Memorial Gymnasium to address the offer from DHPWT to fund \$6,000.00 for the build-out study.

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

- **Town Report:** January 27, 2017 is the deadline, Ski requested the PB secretary to gather yearly case data for the next PB meeting.
- **Petitions: a Public Hearing is Scheduled for 01/17/2017 at 7:00 pm & 01/31/2017 (if needed) for public discussion of two petitions submitted for Zoning Ordinance changes:**
  - The adoption of RSA 674:71, RSA 674:72, and RSA 674:73, the Accessory Dwelling Units (ADU).
  - To amend Article 3.2 Zoning Map of the Ossipee Zoning Ordinance to change the zoning classification of Tax Map 8, Lot 22 from Village District to Roadside Commercial District.

**Connie B.**, brought attention to a couple of other ZO changes to be made because of NH State Law changes.

- **NH Division of Historical Resources:** Project Review of Ossipee Mtn Estates Water Infrastructure Environmental. Tax Map: 54 Lot: 2 – Determination of “No Historic Properties affected.”  
Noted by Planning Board.

**Public Discussion:**

Joe Deighan asked for clarification pertaining to ADU’s of attached vs. detached. Various PB members conveyed that Ossipee Zoning Ordinances must comply with NH new RSA 674:72 stating an attached ADU must share a common wall. But also NH new RSA 674:73 gives towns the option of allowing detached ADU. Heated discussions have taken place over several meetings on how to word and how many ADU’s to allow... in order to submit to the Town Residents for Public Hearing and ultimately a final draft for voting on in March.

**Ski K.**, brought attention to the Board that he had received a phone call prior to tonight’s meeting, who said a member of the Board referred to a residents of Massachusetts as “Mass-holes.” He was quite upset that someone holding a position within the Town government, would refer to a resident of Massachusetts and of Indian Mound Association as a Mass-hole. He is requesting a public apology for such language being used at a public hearing. Roy B., claimed he did not say that but Connie B., stated he did. Roy B., said he would not apologize.

**Ash Fischbein** – requested clarification for the public hearing of the two petitions. **Public Hearing is on January 17, 2017 at the Freight House, 1 Moultonville Rd. Center Ossipee at 7:00 pm.** An official notice will go out on Friday, January 6, 2017.

**Adjournment**

**Motion:** by Bob G., seconded by Rick, to adjourn the meeting.

**All voted in favor by show of hands.**

The meeting adjourned at 8:17 p.m.

**Next Meeting: January 17, 2017 @ 7:00 pm**

**Minutes approved by majority vote of the Board on** January 17, 2017  
Date

  
**Condict (Connie) Billings, Chairman**