

**OSSIPEE PLANNING BOARD
MEETING MINUTES
March 7, 2017**

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

Call to Order: Interim - Chairman, Connie Billings called the meeting to order at 7:00 PM.

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

Billings raised Rick St. Jean to voting status in place of Selectmen Rep. Frank Riley.

Meeting Minutes: the Meeting Minutes from 2/21/2017 were reviewed.

A Motion made by Barron to approve the minutes of the 2/21/2017 Planning Board meeting as written. Seconded by St. Jean. No discussion. A unanimous vote was taken.

Unsatisfied Conditions: (continued from previous PB Mtgs) Connie B. noted - **NO UPDATES**

Board	Date	Applicant	List of Conditions
PB	11/03/2015	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 Court decision. #1: Water Supply Approval
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: Pending Court decision. #2: Subdivision Approval
PB	09/20/2016	WWSCR-Northgate Ossipee, LLC	SPR granted pending remaining conditions: Pending Court decision. #3: NHDES Septic Approval

Informal Discussion:

James Harrigan - Map: 34; Lot 63; Subdivide existing lot into three (3) vacant lots for future build-able lots (single-family), plus a lot with the existing 3'bedroom home, for a total of (4) lots. Sub Lot 0000; 40 Blueberry Rd Center Ossipee, NH 03894. 11.63 Acres, 506,668 sq. Feet. Road Frontage: 874.52' (319.51' plus 555.01'). This is inside of Blueberry Estates, which has bylaws. It is lot #45 of Blueberry Estates. Harrigan presented his intentions of seeking to overturn the restriction to subdivide his property into (3) lots. The wetlands will remain with the primary residence. The PB suggested he start by going to the Registry of Deeds to obtain a true plot plan of the property and to seek legal counsel to help release the restriction.

New Business:

- **Case # 17-2-SPR:** Irving Energy c/o Michael Henault, 135 Route 16B - property owner Highlands Fuel Delivery, LLC. Tax Map: 87 Lot: 28 & 30. Seeking a Site Plan Review for the addition of (1) 30,000 gallon underground propane tank to be located to the right of the current structure. ZBA granted a Conditional Special Exception for an underground tank on 9/13/2016, final approval was granted on 12/13/2016. PB approved a Lot Merger for Tax Map: 87 Lots: 28 and 30 on 09/06/2016.

Motion made by Billings for conditional acceptance of the application. St. Jean seconded. Billings listed the Conditions:

1. Ownership of Deed listed in succession
2. Final Plot Plans with Surveyors stamp
3. Tax Card for Tax Map: 87 Lot: 30 and proof taxes are paid.
4. Letter of Authority to represent from Irving Energy to Mike Henault
5. Current Soil Sample from Carroll County Book
6. Letter from Fire Chief

Henault answered Gillette's question of NHDES Regulation with NFPA58. Billings inquired of any soil contamination at the site. Henault said there may have been years ago before putting the oil tank in from the previous owner. But that was all remediated in 1996. Parsons questioned what happen to the original agreement of not putting any propane tanks in at the time the oil tank approval was taking place. Henault was not aware of this agreement. Nash is to pull prior minutes for any reference to this agreement.

Vote on **Motion** made by Billings for conditional acceptance of the application with the (6) conditions as stated. St. Jean seconded. All others voted in favor to accept the conditional application. Parsons opposed.

Motion made by Barron to grant a Continuance until 4/4/2017. Legendre seconded. No Discussion. A unanimous vote was taken.

- **Case # 17-2-BLA:** Robert G. Pope Revocable Trust c/o Loralie Gerard of Gerard Land Surveying Co. Seeking Boundary Line Adjustments for 105 Pine Hill Rd. Tax Map: 55 Lot: 1 along with (3) Waivers and Tax Map: 55 Lot: 5 along with (5) Waivers.

Motion made by St. Jean to accept the application as complete. Barron seconded. A unanimous vote was taken. Loralie Gerard will submit a Letter of Authorization to represent did not have one with her. Gerard illustrated on the map that according to the Deed Tax Map: 55 Lot: 1 & Lot: 5 are actually (1) lot. She has researched as far back as she could and the Pine Hill Rd. (aka Mountain Rd.) that splits the two lots has been there. Item #9 on the map states there was no layout found. Since roads do not create subdivisions of land, Mr. Pope would like Tax Map: 55 Lot: 1 to become a lot of record. Pine Hill Rd. will remain part of Tax Map: 55 Lot: 5. Gerard did survey Tax Map: 55 Lot: 1 and determined the layout on the map is correct.

PB discussion over lot lines, location of property, how property got split, and if any changes are made to Tax Map: 55 Lot: 1. Mr. Pope will need to come before the PB.

Motion made by Barron to recess this case for 15 minutes for Gerard to notate which section of the Zoning Ordinance is referenced for each Waiver requesting. St. Jean seconded. A unanimous vote was taken.

Planning Board continued with the remaining agenda.

Old Business:

- **Master Plan 2016 Revision** – Work Group Committee: Bob Gillette, Rick St. Jean, and Dennis Legendre:

Status Update: St. Jean provided Nash with the census information. Gillette has found information on housing and has requested the committee meet sometime this coming week.

Public Input:

Corey Lane – GMCG – informed the PB that through GMCG Watershed Management Plan, one of their tasks is to create updated maps and offer them to Ossipee, Freedom, Tamworth and Effingham. Corey asked the PB what layers they would like to have on Ossipee maps. PB discussion over official maps took place and Barron is to provide Billings with the contact information he was given from a seminar he attended.

ZBA – upcoming cases: Billings read notices to the Board.

- **Case #16-11-V: Mark McConkey c/o Dummer Boys** – 1605 Route 16; Tax Map: 53 Lot: 3 – has applied for a Variance from Article 35.2.p of the Ossipee Zoning Ordinance to permit alterations to existing building to make 1 bedroom apartment.
- **Case # 17-1-SE: Michael & Wendy Houle** – 112 Hodsdon Shore Rd. Tax Map: 73 Lot: 133 – has applied for a Special Exception from Article 23.3.2 Section: XXIII of the Ossipee Zoning Ordinance to remove existing roof and add (4) feet to an existing bedroom along with a (8) foot deck on top of existing structure below.

Notices: Billings read notices to the Board.

- ZBA – Notice of Decision: Ingham & McFarlane
- NH DRED: Notice of Timber Harvest from 105 acres of the Pine River State Forest
- FirstNet Telecommunications Emergency Network
- Rivada Networks
- NH Municipal Association: 2017 Local Officials Workshops
- Intent to Excavate: Town of Ossipee, Polly Crossing Rd. Tax Map: 244 Lot: 002. By John Jeddrey.

Motion made by Barron to continue with **Case # 17-2-BLA**. St. Jean seconded. A unanimous vote was taken.

Gerard presented the requested Waivers of the Subdivision Regulations:

Waivers for Tax Map: 55 Lot: 5

1. Section 8.01 (C - K) – Preliminary Layout Requirements which waive any requirement of surveying Tax Map: 55 Lot: 5. **Motion** by Barron to accept the Waiver. Seconded by St. Jean. No discussion. All other voted in favor. Parsons abstained.
2. Section 9.05. L – Final Plan Requirements which waive any requirement of surveying Tax Map: 55 Lot: 5. **Motion** by Legendre to accept the Waiver. Seconded by Barron. All other voted in favor. No discussion. Parsons and Gillette opposed.
3. Section 8.01 (L, M, and N) – Existing topographic contours etc.... which waive any requirement of surveying Tax Map: 55 Lot: 5. **Motion** by Barron to accept the Waiver. Seconded by St. Jean. All other voted in favor. No discussion. A unanimous vote was taken.

4. Section 8.01 (O, P, and Q) – Wetlands, water courses to be delineated etc.... which waive any requirement of surveying Tax Map: 55 Lot: 5. **Motion** by Barron to accept the Waiver. Seconded by St. Jean. All other voted in favor. Billings and Parsons abstained.
5. Section 9.05.P – Flood Plain per FEMA Tax Map: 55 Lot: 5. **Motion** by Barron to accept the Waiver. Seconded by St. Jean. All other voted in favor. Billings and Parsons abstained.
6. Section 9.06.F – Evidence of any type of Septic and Well approvals etc.... Tax Map: 55 Lot: 5. **Motion** by Barron to accept the Waiver. Seconded by St. Jean. All other voted in favor. Billings and Parsons abstained.

Waivers for Tax Map: 55 Lot: 1

1. Section 8.01 (L, M, and N) – Existing topographic contours etc.... which waive any requirement of surveying Tax Map: 55 Lot: 1. **Motion** by Barron to accept the Waiver. Seconded by Legendre. All other voted in favor. No discussion. Billings and Parsons abstained.
2. Section 8.01 (O, P, and Q) – Wetlands, water courses to be delineated etc.... which waive any requirement of surveying Tax Map: 55 Lot: 1. **Motion** by Legendre to accept the Waiver. Seconded by Barron. Parsons questioned if separating one lot into (2) lots; why is there no survey of the second lot. How is that lot to be found in the registry? Gerard explained there is a map and it's located on the Proprietor Map – 38 filed with the Town. PB discussion ensued. All other voted in favor. Billings abstained.
3. Section 9.06.F – Evidence of any type of Septic and Well approvals etc.... Tax Map: 55 Lot: 1. **Motion** by Barron to accept the Waiver. Seconded by Gillette. All other voted in favor. Billings abstained.

Motion made by Gillette to approve the Boundary Line Adjustment. Seconded by St. Jean. No discussion. All others voted in favor. Billings and Parsons abstained.

Any Other Business Which May Come Before This Meeting

Ed Comeau provided a Legislative update on a bill that will change the way the PB notifies abutters for applicants. The bill reads, “HB131 relative to the cost or notice of changes to the Zoning District. As amended this bill provides the petitioner of Zoning Amendments to the Planning Board shall be responsible for the cost of noticing 100 or fewer abutters of the public hearing on the amendment.”

Ed Comeau provided a Legislative update on the ADU bill. The bill reads, “HB265 relative to Accessory Dwelling Units. This bill cleans up the language in the Accessory Dwelling Unit (ADU) bill which was passed last year; SB146 will become effective June 1, 2017. It is necessary to help communities who are in the process of changing their Zoning Ordinances prior to the effective date. This bill removes the mandate that ADU's must be allowed in manufactured housing, condominiums, and townhouse type dwellings, but allows municipalities to include ADU's in these dwellings, if they wish. The amendment defines manufactured housing and condominiums by referencing statutes and prohibits condominium conveyances of the ADU's unless allowed by the municipality.”

Gillette requested to acknowledge Bruce Parsons and Chester “Ski” Kwiatkowski for their service while on the Planning Board. Billings commented he was going to that at the next meeting.

Adjournment:

Motion made by Roy B., seconded by Rick St. Jean to adjourn the meeting. No further discussion. A unanimous vote was taken by show of hands.

The meeting adjourned at 8:32 p.m.

Next Meeting: **March 21, 2017 @ 7:00 pm**

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

Condict (Connie) Billings,
Interim-Chairman