

**OSSIPEE PLANNING BOARD
MEETING MINUTES
March 21, 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, Bruce Stuart, Vice Chairman, Ash Fischbein, Roy Barron, ***Brian Ames***, Krystal Eldridge and Melissa Ames (Alternate).

Absent:, R. Christopher Templeton (Selectmen’s Rep.)

Members: Chairman Cohen welcomed newly elected members Brian Ames, and R. Christopher Templeton (Selectmen’s Rep.) and welcomed back previous existing members Ash Fischbein, and Krystal Eldridge to the Planning Board.

Elect Chairman: Chairman Cohen called for any nomination for Chairman.

A **Motion** by Barron to nominate Sharie Cohen as Chairman to the Planning Board. Sharie Cohen called for other nominations. Barron commented that the Board voted a few years ago to only nominate one at a time.

The secretary clarified that the Board voted to not combine the vote for Chairman and Vice-Chairman in the same motion. Chairman Cohen was asking for other nominations for Chairman. Barron apologized for misunderstanding. With no other nomination for Chairman.

Fischbein seconded the motion, Discussion – Stuart asked Cohen if she would except the nomination. Cohen confirmed she would. All others voted in favor. Cohen abstained. **Motion passed.**

Elect Vice-Chair: Chairman Cohen called for any nomination for Vice - Chairman.

A **Motion** by Barron to nominate Bruce Stuart as Vice-Chairman to the Planning Board. Fischbein asked Stuart if he would accept the position. Stuart confirmed he would if no one else wanted the position. Chairman Cohen called for any other nominations. With none heard. All others voted in favor. Stuart abstained. **Motion passed.**

Elect Secretary: Chairman Cohen called for any nomination for Secretary. The Secretary position is to fill-in and conduct the meeting if the Chairman and Vice-Chairman are absent from the same meeting.

A **Motion** by Barron to nominate Krystal Eldridge as Secretary to the Planning Board. Sharie Cohen called for other nominations. Chairman Cohen asked Krystal Eldridge if she would accept the position. Krystal Eldridge confirmed she would. Chairman Cohen called for any other nominations. With none heard. All others voted in favor. Krystal Eldridge abstained. **Motion passed.**

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 March 7, 2023

A **Motion** by Fischbein to approve the meeting minutes of March 7, 2023 as amended. Eldridge seconded.

Stuart referred to multiple statement by “Nash” and questioned if it was supposed to be Ash, as in Ash Fischbein. The secretary noted that “Nash” is her last name and was referenced to statements made by her as requested by the Board members. After a brief chuckle by all, Chairman Cohen called for a vote on the minutes as submitted. A unanimous vote was taken by a show of hands. **Motion passed.**

Informal Discussion: N/A

New Business:

- **Case # 23-02-SPR:** Michael Stevens of 1800 Route 16. Tax Map: 038 Lot: 020 is seeking a Site Plan Review to have Food Trucks, Camper Storage, a 60 ft. X 40 ft. Garage for Repairs and Sales. Along with a request for (4) Waivers. (Case Continued from February 21, 2023 and March 7, 2023)

Mr. Stevens was not present at the start of the meeting. Fischbein asked for clarification under the new RSA rules, if the applicant is not present for a scheduled meeting and does not request a continuance in writing, the Board is supposed to deny the application. Barron commented the way he understands the ruling is that the Board has until the end of the meeting before having to render a decision. Chairman Cohen agreed with the consensus of the Board to move this case to end of the agenda to allow time for Mr. Stevens to arrive if he is running late.

- **Case # 23-02-SPRA:** Ossipee MYVY, LLC c/o Matt Young - Melvin Village Marina, Inc. of 801 Route 16. Tax Map: 250 Lot: 007 is seeking a Site Plan Review Amendment for a boat storage building and future replacement of the existing showroom with a new and larger showroom. Along with (7) Waiver Request from SPR regulations Section 6 and Section 8.

Fischbein requested to recuse himself since he is an abutter to this property. Chairman Cohen agreed.

A brief recess occurred while the secretary retrieved and set up an easel for the applicant.

Chairman Cohen called for Ash Fischbein to address the applicant and the Board prior to Mr. Young presenting. Fischbein explained to no fault of the applicant or the secretary, but he was not properly notified as an abutter that this case was coming before the Planning Board. After reviewing the abutters list, and software program utilized for generating the abutters list, it was determined it was a software glitch as to why Mr. Fischbein was excluded. Mr. Fischbein stated he has no problems with the proposed project and will waive any recourse for not being properly notified as long as the Town Assessor is notified of the software glitch. Chairman Cohen asked Fischbein to repeat his name, company name and address for the record. Fischbein stated he Ash Fischbein of Mountain Grainery, LLC. at 765 Route 16.

Matt Young presents for Melvin Village Marina, LLC at 801 Route 16. They acquired the property around 2011 and they have made several different renovations to the project. It use to be a gravel pit so the soil is gravelly-sand. The property is in the Commercial Corridor district. The property has a minor slope upward away from Route 16. The project would not require any NHDOT change of use permit because the use is the same. The project is a multi-year project and will be done in phases.

Phase I – Boat Racks: the project will be about 70 feet wide. This building will have a minor jog in order to meet the setbacks. The project will seek to reduce the impervious surfaces with an internally drained rack structure using stone infiltration trenches within the foundation. This has successfully been used

with the existing rack buildings and contains all run off within the structure itself and drains into the self-draining filtration system. The system works perfectly and is identical to the existing building.

They have met with the current and past Zoning Officers and have met with the Fire Chief. They will be meeting with the Fire Chief again before they begin on the new showroom. All buildings will be alarmed with lights and will have access around the building for fire apparatus to maneuver.

The proposed future showroom replaces an existing building and while not an immediate project, it is on the schedule somewhere in the next few years. They are requesting seven waivers, most being for the septic system. The septic system is not being changed with the boat rack building, but when they replace and expand the showroom they will have to make a change to the showroom. They are requesting the septic approval to be conditional for when their ready to construct the showroom.

Barron questioned the timeline for constructing the showroom because he believes there is time limit.

Stuart commented that the phased plan needs to be detailed on the time frame for completion.

Matt Young noted Phase I will be the Boat Rack building and Phase II will consist of the showroom. Matt Young pointed out on the plans how the new boat rack building will eventually tie into the new showroom. But this will involve some engineering design work to accomplish. So, Phase I will be to build a smaller boat rack until their ready to construct the showroom, at which time they will move into Phase II. Phase II will consist of enlarging the Boat Rack and joining it with the new expanded showroom.

Board discussion: Barron suggested Matt Young return when Phase II begins with proof of the septic approval. Barron ***referenced a prior case and*** thought there was a time limit for phased projects and the applicant had to return for each phase. Chairman Cohen noted that case was because the applicant did not want to commit to constructing all the buildings until he could see if the market demand would warrant constructing more units.

Barron commented the only subsequent condition would be sending a copy of the NHDES Septic Approval to the Planning Board once it's received.

Stuart asked and Matt Young clarified the phases and work to be done in each phase.

Chairman Cohen moved onto the waivers being requested.

Waiver #1: Section 6.03.4 () - Copy of any DES Required approval

A **Motion** by Barron to approve the Waiver Request from Section 6.03.4 of providing NHDES Required Approval because no NHDES approval is required for this project. K. Eldridge seconded. No discussion. A unanimous vote was taken. **Motion passed.**

Waiver #2: Section 6.03.4 () - Copy of any Zoning Board or Water District approvals

A **Motion** by Barron to approve the Waiver Request from Section 6.03.4 of providing Zoning Board or Water District approvals because no Zoning Board or Water District approvals are required for this project.. K. Eldridge seconded. No discussion. A unanimous vote was taken. **Motion passed.**

Waiver #3: Section 8.01.01 () - Town road access

A **Motion** by Barron to approve the Waiver Request from Section 8.01.01 of providing Town road access because the property is located at 801 Rt.16. Access is via State Highway and therefore does not require

access to any Town Roads. K. Eldridge seconded. No discussion. A unanimous vote was taken. **Motion passed.**

Waiver #4: Section 8.03.01 (c) - Septic and Well Approvals (OZO p.3), DES Subsurface approval (271-3501)

A **Motion** by Barron to approve the Waiver Request from Section 8.03.01 (c) of providing Septic and Well Approvals (OZO p.3), DES Subsurface approval because The storage building phase of the application does not require any changes to the existing well or septic system. The showroom phase is 3-5 years down the line. Since there is no way of knowing DES requirements for a future project, a future building permit would require DES approval. K. Eldridge seconded. No discussion. A unanimous vote was taken. **Motion passed.**

Waiver #5: Section 8.03.01 (a) - Ossipee Water and Sewer Commission approval

A **Motion** by Barron to approve the Waiver Request from Section 8.03.01 (a) of providing Ossipee Water and Sewer Commission approval because the property has private water and sewer. K. Eldridge seconded. No discussion. A unanimous vote was taken. **Motion passed.**

Waiver #6: Section 8.03.4 - Groundwater protection, if located in a Groundwater Protection District. (See OZO 20 p.44);

A **Motion** by Barron to approve the Waiver Request from Section 8.03.4 of providing Groundwater protection, if located in a Groundwater Protection District. (See OZO 20 p.44); because no Special Use Permit is Required. K. Eldridge seconded. No discussion. A unanimous vote was taken. **Motion passed.**

Waiver #7: Section 8.03.02 (a) - Pollution Controls (hazardous materials, noise, odor, smoke, etc.)

A **Motion** by Barron to approve the Waiver Request from Section 8.03.02 (a) of providing Pollution Controls (hazardous materials, noise, odor, smoke, etc.) because “the nature of boat sales and storage is benign in nature. We are a highly regulated industry and must meet all DES Standards. The property is in the commercial corridor next to a major highway. Any increase in noise or other items listed in the ordinance are minor in comparison to other commercial operations along this major highway”. K. Eldridge seconded. No discussion. A unanimous vote was taken. **Motion passed.**

A **Motion** by Barron to accept the application as complete for **Case # 23-02-SPRA:** Ossipee MYVY, LLC c/o Matt Young - Melvin Village Marina, Inc. of 801 Route 16. Tax Map: 250 Lot: 007 request for a Site Plan Review Amendment for a boat storage building and future replacement of the existing showroom with a new and larger showroom. Along with (7) Waiver Request from SPR regulations Section 6 and Section 8. K. Eldridge seconded. No discussion. A unanimous vote was taken. **Motion passed.**

Chairman Cohen called for any further discussion from the Board. None heard.

Chairman Cohen called for any discussion or comments from the Public. None heard.

Chairman Cohen called for any further discussion from the Board. Barron replied no, but they’ve been in so many times and he’s walked the property for the last 20 years.

A **Motion** by K. Eldridge for **Case # 23-02-SPRA:** Ossipee MYVY, LLC c/o Matt Young - Melvin Village Marina, Inc. of 801 Route 16. Tax Map: 250 Lot: 007 is Granted a Site Plan Review Amendment for a boat storage building and future replacement of the existing showroom with a new and larger showroom. Along

with (7) Waiver Request from SPR regulations Section 6 and Section 8. With the subsequent condition of providing the Planning Board with a copy of the NHDES Septic Approval for the showroom and All Federal, State and Local Regulations shall be followed. Barron seconded. No discussion. A unanimous vote was taken. **Motion passed.**

Chairman Cohen notified the Board that since there are no cases scheduled for the April 4th, meeting to continue discussion on the regulation revisions, so we will be put these on hold until April 4th, 2023.

- **Site Plan Review Regulations:** RSA revisions
- **Subdivision/BLA Regulations:** RSA revisions
- **Site Plan Review Application:** RSA revisions
- **Subdivision/BLA Application:** RSA revisions
- **Rules of Procedure:** Revisions
- **Zoning Ordinance books:** The secretary reported the New Zoning Ordinance books will be emailed to the Board members, posted on the Town's website this week. Printed copies will be made for each Board member for the next meeting. Extra copies will be made available at the Town Hall later next week.

Chairman Cohen noted that Mr. Stevens has not arrived. Fischbein commented that he has contacted a relative, who has left Mike Stevens a message but has not heard back from him.

Chairman Cohen asked Bruce Stuart if he has an update on the Master Plan.

Unfinished Business:

- **Master Plan:** Stuart reported the status of HOPS Grant:

Stuart was invited by A. Fischbein to meet with EDC to discuss the awarding of a grant, what the grant entails, what the Board would like to do moving forward, explained the Housing Academy Stipends, seeking individuals to attend the classes, and Ash Fischbein would return to the Planning Board with EDC's thoughts.

Fischbein recognized Misty Ryder, Executive Director of OCC and EDC member, who is also present and probably has questions.

Fischbein noted he does have questions from other members of EDC but there was no formal decision made on EDC's participation. There are still some questions to be answered and by the April meeting the EDC will probably have an answer for the Planning Board concerning having an Envision Night.

Fischbein noted that EDC Chair, Joy Gagnon would be coming to tonight's meeting but the one question was whether EDC would be collaborating in the effort or facilitating Envision Night.

Stuart needed to make clear that the grant and the project is driven by the Planning Board. The Board would like to work together with EDC to facilitate with their assistance and input for an Envision Night would be extremely beneficial. Fischbein believes that the Planning Board would benefit by having EDC as the facilitator for the Envision Night.

Misty Ryder inquired about the timeline for having the Envision Night. Stuart noted the timeline is on the application he sent EDC members. Stuart noted March and April is dedicated to hiring a consultant. Misty asked if EDC would be the consultant.

Stuart informed her that under the grant agreement the consultant is to be selected from a state approved list of about 35 consultants. Stuart has narrowed down the list and has contacted 5-6 that live within driving distance, so the grant money is going towards paying for housing and travel expenditures and the consultant would be able to attend meetings. Stuart is also looking at consultants from similar demographics as Ossiipee in order to protect and preserve what people like about Ossiipee by blending the housing section into a rural area that is tourist driven and to incorporate everything from businesses, workers and housing, etc.... into a demographic that we (Ossiipee residents) share with tourists. As Ossiipee residents we don't want to destroy what we like most about Ossiipee but to preserve and find that balance. Once Stuart receives information back from the consultants he's contacted, he will forward the information to the secretary to distribute to the Board.

Stuart discussed with Fischbein of possibly holding two Envision Nights. The grant is strictly for the Housing Section with the thought process that once we have the consultants guidance for the housing section, the Board would be better educated on completing the remaining sections of the Master Plan.

Fischbein suggested having two tables set up for the Planning Board for housing and the third table EDC could have something else set up. Stuart noted the parameters of the grant dictates whatever cost that are incurred for Envision Night has to be related to housing. Stuart will re-read that section of the contract agreement but does not believe the Envision Night can relate to anything else but housing.

Dallas Emery asked if the consultant was coming to help with the Master Plan. Stuart and Fischbein both stated no, the consultant is only to provide direction for the Housing section. Emery questioned if the EDC has a table set up for something related to the Master Plan shouldn't that be acceptable. Stuart is going to get clarification to that question for the next meeting.

Joy Gagnon, Chairman of EDC commented some members stated they were experts on housing but asked if the EDC could bring housing experts in to attend the Envision Night.

Stuart stated the Envision Night is to involve the community and their perspective on what the community wants for housing.

Fischbein stated the Board needs to speak with the consultant, who will help the Board to determine what community outreach is expected according to the grant. The consultant is the expert on housing and will dictate how Envision Night will work but EDC and the Planning Board will facilitate the arrangements for Envision Night. The EDC discuss and vote at the April meeting on their involvement.

Discussion ensued over getting individuals committed to attending the Housing Academy, the LRPC housing presentation on March 27th at Hobb's and getting people involved.

Stuart commended the EDC on their Envision Nights and how their able to get community involvement and capture the data without having to come into a clinical place. Stuart wants the EDC to be a part of , involved in, and engaged in this process.

Stuart explained to Joy Gagnon about the Housing Academy which is 15-16 hours of education sessions. Stuart would like to see a Board member or two commit to attending, someone from the business sector, and somebody from the community, who is passionate about the housing sector. Stuart read the dates and flyer information as follows:

SPRING 2023 HOUSING ACADEMY SCHEDULE

MAY 9th, 9:00 AM -10:30 AM - Kickoff webinar

MAY 17th, 9:00 AM -10:30 AM - Webinar
JUNE 1st, 9:00 AM -1:00 PM - In-person training (Bedford) Lunch provided.
JUNE 13 9:00 AM -1:00 PM - In-person training (Bedford) Lunch provided.
JUNE 22 9:00 AM -10:30 AM - Webinar

It's about 15 hours of education to help give you tools to work with whether you have any back ground with housing or master plan or not, it gives you some perspectives to go out and take this project on. Per Alissa Del Tufo, Program Manager at Plan New Hampshire as of today, if you choose to participate you are expected to attend these meetings. Alissa clarified the stipends are for the 3- participants that Ossipee sends to help cover fuel cost, and time away from work.

Joy Gagnon – EDC, and Bruce Stuart - PB have committed to attend. Stuart will speak with other Board members and business owners to get a third participant.

Brian Ames inquired if someone could attend without the stipend. Stuart will verify with Alissa on if someone can attend without the stipend. Discussion ensued. Brian Ames asked what the second community involvement entails. Stuart was thinking two Envision Nights. Joy Gagnon suggested the Community Round Table.

Notices: Chairman Cohen noted a couple of notices for the Boards attention.

- Reminder the LRPC - Spring Commissioner Meetings: to be held on Monday, March 27th from 6 – 8 pm at Hobbs Tavern in Ossipee on the Regional Housing Needs Assessment.
- Plan-Link: Differing perspectives on HB 44
- The NH Office of Planning and Development (OPD) Spring 2023 Planning and Zoning Conference will be held as a **free, full day online conference on Saturday, April 29 from 8:45 am to 3:30 pm.**

See the website for further details.

Next Meeting: **April 4, 2023 @ 7:00** to be held at the Freight House

Chairman Cohen called for any other business.

Any Other Business Which May Come Before This Meeting:

Case # 23-02-SPR: Michael Stevens of 1800 Route 16. Tax Map: 038 Lot: 020 is seeking a Site Plan Review to have Food Trucks, Camper Storage, a 60 ft. X 40 ft. Garage for Repairs and Sales. Along with a request for (4) Waivers. (Case Continued from February 21, 2023 and March 7, 2023)

During the meeting Fischbein attempted to contact Mr. Stevens through a family member and has not heard back from them.

A **Motion** by Barron to grant a continuance until April 4, 2023 for **Case # 23-02-SPR:** Michael Stevens of 1800 Route 16. Tax Map: 038 Lot: 020. B. Ames seconded. Mr. Stevens is to be notified that this is a courtesy continuous and if he misses the next meeting, the Board will have no choice but to deny his application. If Mr. Stevens wishes to proceed with his plans, he will have to resubmit all materials and fees. With no further discussion. A unanimous vote was taken by a show of hands. **Motion passed.**

Chairman Cohen called for a motion to adjourn.

Adjournment:

A **Motion** by Barron to adjourn. K. Eldridge seconded. No discussion. A unanimous vote was taken by a show of hands. **Motion passed. Meeting adjourned** at 8:14 PM.

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

Sharon “Sharie” Cohen, Chairman
Ossipee Planning Board

Bruce Stuart, Vice - Chairman
Ossipee Planning Board