

OSSIPEE ZONING BOARD
Meeting Minutes
August 9, 2016

Minutes were recorded by Laura Nash, Board Secretary.
Revisions of these minutes are noted by ***bold/italic*** type.

Call to Order: Stanley Brothers, Chairman called the meeting to order at 7:00 p.m.

Members Present by Roll Call: Stanley Brothers, Dave Babson, Ralph Wurster, Ski Kwiatkowski, and Jim Rines. **Late Arrival:** Bob Freeman (alternate). **Absent:** Bill Grover (alternate)

Meeting Minutes:

Review and Approve Meeting Minutes of July 12, 2016.

Motion: by Jim Rines and seconded by Ski K., to approve July 12, 2016 minutes as corrected.

All others in favor, motion passed.

New Business

- **Case #16-2-SE: Michael Henault (Irving Energy)** – 135 Route 16B – Tax Map: 87 Lot: 28. Requesting a Special Exception from Article 34.2, section O for adding one 30,000 gallon propane tank to the bulk plant, plus one loading rack and electrical.

Dave Babson called for a Point of Order to clarify who was here to represent this case and where they are from due to multiple addresses on the application. Chairman, Stanley Brothers acknowledge the Point of Order.

Michael Henault from Irving Energy was present. Sheldon Illsley of Home Heating Representative for Irving Oil & Propane, and Jody Ameden, providing consulting services for Irving Energy. Presented preliminary ideas due to recent recommendation changes from Fire Chief, Michael Brownell received yesterday. **Board** discussion involving incomplete application to questions 7&8, acknowledgement of Zoning Ordinance sections 4 & 5, new plan designs need to reflect new recommendations, plans submitted are to include all pages and possible Lot Merger needed of the two properties.

7:13pm: Stanley acknowledge the arrival of Bob Freeman (Alternate).

Public discussion; Ray Krebs as an abutter, expressed his concerns of noise levels, truck traffic all hours of the night, decrease of property values, odor from fumes, potential danger of hazardous material and feels it's not right for a neighborhood setting.

Applicant requested a continuous until September 13, 2016 meeting.

Motion: by Ski K., and seconded by Jim R., to continue this case until September 13, 2016 and to address and provide updated/complete application, plan redesigns, Zoning Ordinance sections 4 & 5, state, federal and local regulations, abutters concerns and possible lot merger by August 30, 2016. **All in favor**, to continue until September 13, 2016, **motion passed.**

7:33 pm – Meeting recessed for a couple of minutes.

7:35 pm – Meeting resumed.

Letters: Stanley Acknowledged

- David Smith – Ossipee Lake Alliance addressing CDS article of WWSCG

Any Other Business Which May Come Before This Meeting

- Budget Report: July 2016 –
 1. Postage Fees: Ski suggested increasing postage fee to \$75.00 for each Public Notice and Notice of Decision. Currently, the ZBA postage fee for variances and special exceptions is \$125.00 to cover both notices. Laura spoke with Beth Tobyne at CCI, back in April 2016, requesting ad prices. Per Beth, the size of the ads run either a 2x2 for \$57.00 or a 2x2.5" for \$71.00. After discussion, the Board decided to keep prices at \$125.00 and not increase postage prices at this time.
 2. Mileage: Ski noted budget was set at \$50.00 with a balance of \$29.32 and with trips to Concord or Manchester for seminars. Those trips are going to put the ZBA over budget. Ski recommends increasing the mileage budget to reflect the education budget. Board to address in October.
 3. Jim Rines noted deficit spending on secretary's salary. Stanley noted budget was set prior to Laura being hired. Laura commented, this was also addressed at the PB meeting by Frank Riley and Laura is to work with Town Administrator, Ellen White who is tracking the hours and adjustments will be made for the next budget year.
- New Law on Accessory Dwelling Units – Stanley acknowledged and Jim Rines noted the law goes into effect next year which gives Town Planning Boards time to decide if they want to have any *criteria* or just let the law take effect as written.
- Chris Downing of 31 Navajo Trail & 35 Navajo Trail. Spoke with Dave Senecal (former ZEO) and received permit to demo/disassemble the house at 31 Navajo Trail leaving the foundation intact. Per Dave Senecal as long as he started to rebuild within one year's time, he could just rebuild but time had expired. Chris has met with Steve McConarty (current ZEO), who indicated based on the current ordinance regulation section 23.3 for non-conforming structures, Chris D., would need to apply for a Special Exception.

After a lengthy discussion among the Board members and Steve McConarty over interpretation of ordinance regulation section 23.3 resulted in Steve McConarty requesting the ZBA to clarify the Ordinance section 23.3, a motion was made clarifying the issue.

Motion: by Jim Rines and seconded by Dave Babson, *If for whatever reason a structure is damaged down to the foundation, the home owner can rebuild as a Matter of Right as long as the same footprint and same equal volume of the structure is not expanded or altered.*

Vote by Roll Call: Stanley Brothers - Yes, Dave Babson - Yes, Ralph Wurster - No, Ski Kwiatkowski - Yes, and Jim Rines – Yes, **motion passed.**
- Variance application checklist – preliminary reviews approved. To complete and submit for approval.

Adjournment

Motion: by Jim Rines., seconded by Ski K., to adjourn the meeting. **All in favor, motion passed.**
The meeting adjourned at 8:24 p.m.

Minutes approved by majority vote of the Board on:

Stanley Brothers, Chairman

Date