

TOWN OF CENTER HARBOR
PLANNING BOARD

Tuesday, December 7, 2021
Meeting @ 6 p.m.

Chair Charles Hanson calls the meeting to order at 6 p.m. Present Vice Chair Peter Loudon, Selectmen's Rep Bill Ricciardi, Secretary Rachel Xavier, Members Mark Hildebrand, David Nelson and Clerk Aimee Manfredi-Sanschagrin. Member Kelli Kemery and Alternate Steven Brown were absent with notice.

Voting Members: Charles Hanson, Peter Loudon, Bill Ricciardi, Mark Hildebrand, Rachel Xavier and David Nelson.

I. MINUTES:

Chair asks for a motion on the November 2, 2021 minutes. Peter Loudon motions to pass the minutes as read. Seconded by Bill Ricciardi. All were in favor of approving the minutes.

II. PERMITS:

Board reviews the permits David Nelson asks if there were plans for the Holtzman permit. Clerk responds yes, the plans were full size, project is not on the waterfront and meets all the setbacks. The full set of plans are available for review in the Building Department Office.

III. OTHER:

LRPC – Discussion Town of Moultonborough proposal to construct 60 Housing units on Bean Road. Susan Slack of LRPC provides the Board with an update on the proposed site plan for 60 housing units in Moultonborough on Bean Road. Susan states LRPC believes a few of the largest impacts of this proposal will be the traffic and pedestrian traffic on Bean Road as well as the aquifers. LRPC will be providing a report to the Town of Moultonborough in according with NH RSA 36:57 Regional Impact. Susan was interested in any concerns the Center Harbor PB may have or any input they would like to provide. The Board agreed with the traffic and aquifer concerns, in addition, the PB expressed concerns about Emergency Services based on the location of these units and their close proximity to Center Harbor Police and Fire Departments. PB members were encouraged to attend the PB hearing in Moultonborough on December 8th at 7 p.m. Members that plan on attending that hearing to gather information and report back to the Board are Mark Hildebrand, Rachel Xavier and David Nelson.

Conceptual Subdivision Discussion Scott Burns, 137 Waukegan Road 226-010

Chair states anything the Board states during this discussion is non-binding this is a discussion only. Scott Burns states he understands.

Scott Burns provides a plan to the Board with a proposed subdivision of lot 226-010 which will create 5 lots total. The current lot is 32.35 acres, Scott would like to subdivide the lots into the following 5.8 acres, 7.8 acres, 2.5 acres, 5 acres and 9.5 acres. The lot is split between two zones, AR and CI. (approximately 6 acres is AR the remainder of the lot is in the CI zone). Scott states that he's heard the road will probably be the biggest issue and wants to understand what he needs to do to successfully subdivide this lot.

Chair, roads are a hot topic issue in town lately, when you service more than 2 lots you need a road. We have some flexibility, for example, we just approved a subdivision for the Barker family who added a 3rd lot and we made them do improvements, not to the full road standard but required them to widen the road and make pull offs to make it safe for emergency vehicles to pass. There were road improvements required and the Barker family completed those. When you get to 5 lots, you're going to need to have a town standard road at least up through the first 3 lots. For the last 2 lots in the back, and I think maybe that is what Carl is trying to indicate here on this plan with a cul-de-sac at the end and then a driveway servicing the 2 back lots.

Scott Burns, yes, I believe that is what the plan would be.

Chair, you should check our road standards for what the town road spec is. It's usually a 50' ROW with its own metes and bounds and you would also need to check out what the requirement is for the construction. The 2 last lots you may be able to service with just a driveway. You actually may be able to shorten that road a little bit, pull the cul-de-sac back to the corner of the 5-acre lot and it would service the 5 acre and the 9.5 acre.

Bill Ricciardi, my question is as I look at this plan, the 2.5-acre lot is not really a buildable lot unless I'm reading this wrong.

Scott Burns, the lines can move and the lot can be changed but this area is mostly commercially zoned. I just want to subdivide it before things get too tight, that's my goal.

Bill Ricciardi, taking into consideration this is a hybrid lot, that 2.5-acre section, are you planning to put a house in there?

Scott Burns, anything could be put there, that portion is commercial.

Bill Ricciardi, so you can put a house on a commercial lot?

Scott Burns, yes. The line can move around, I'm not set on that location. I'm here to see if you guys think this works.

Chair, I think of version of this would work.

Bill Ricciardi, do you have a rough idea of how far up the road this cul-de-sac would be?

Scott Burns, the first cul-de-sac shown on the plan is about 1000’.

Bill Ricciardi, that’s where the Fire Department is comfortable having a turnaround because they carry 1000’ of hose. The cul-de-sac in black on the plan, does that exist now?

Scott Burns, no that does not exist but this whole area is field so they could pull the trucks in there right now if they needed to. I like to maintain all the fields that’s why the big lot is set up this way.

Chair, great. I would check out the road standard and get an idea of what that cost would be to build the road to town spec.

Vice Chair, is there a grade restriction on road?

Chair, I don’t think so but we would have to check that out.

Scott Burns, I do recall something with Fairway Heights road and the height.

Vice Chair, the road is the big thing, I think everything else seems reasonable.

Scott Burns, is it a road standard over a certain length?

Vice Chair, it’s about how many properties it services.

Chair, at this point, some assumptions need to be made which in theory, can work against you. We could make the assumption that you have a 5-acre and a 9-acre lot in the back. You could potentially put 14, 1 acre lots back there because it’s zoned commercial. There could be buildings on each of those lots so we need to have a good enough road to service all that activity down there, that’s what we face. If you are willing to make concessions, and our approval is conditioned that the 9-acre and the 5-acre lots will not be further subdivided, then that can change the discussion. That would not necessarily preclude you from further subdivision, but those conditions on the approval would trigger the Board to say they allowed a certain road standard based on no further subdivision on those two back lots but a different road standard would be required for further development of those back lots.

David Nelson, would this be a town road or a private road?

Chair, it would be a private road but when they come in with plans like this we need to assume that the town may, at some point, take ownership of the road so that’s why we require it to be built to the town road standard. We need to have a clear understanding of what is there.

Scott Burns, and the town standard is serving 3 lots?

Chair, when you get over 2. It can be a driveway up to 2 lots, when you add that third lot, access then needs to become a road not a driveway. We do have some flexibility in certain situations but every situation is unique. Like I said, you can make some concessions.

Vice Chair, 10 years down the road if someone wants to change this, the Board will go back and revisit.

Chair, right so another Board sitting here with this plan in front of them can clearly see the approval was granted if this condition was met. If the request is outside of the

approval, the Board would be able to say you need to extend another 700' of town road to service those lots.

Bill Ricciardi, and that responsibility falls solely on the owner of the road.

Chair, right. If you do move forward with this there will be some costs associated with it. We would have our town engineer review any proposed specs which is borne by the applicant. If there were legal questions that came up, that cost is borne by the applicant. I will tell you, if you come with a good plan and go through our rules and our road specs, it's pretty straight forward.

Scott Burns, yeah, I would not come to you without a good plan.

Chair, the other thing for me is I don't see any wetlands information on this map.

Scott Burns, there are a few involved.

Chair, you want to look at our Section 10 and the town overlay map for wetlands on the website. It can show wetlands where they truly aren't and depending on where you want to put your road, if you are going through what is shown as wetlands, you get a wetlands scientist out there to confirm whether it is or isn't because that can make your life a whole lot easier.

Scott Burns, I think I'm all set with that.

Chair, I would just tell you that our town maps are not completely accurate and we know that, they were done with ortho photo. That is why we say we need information from a qualified individual identifying what is really on the ground if there is a discrepancy.

Scott Burns, ok so nothing out of the ordinary, just the road is the issue?

Chair, that's the big one and then the wetlands.

Bill Ricciardi, so I have to ask because you've mentioned it 3 times now, is there an issue that we just don't see that you know about it.

Scott Burns, no I just don't like spending money that's why I'm here. If I go through this, I want to do it the right way and make sure I am clear on what I need to do. It's an interesting property and I just want to make sure I can get out of it what I want.

Bill Ricciardi, it's all about the road.

Chair, and Carl is intimately familiar with that.

Scott Burns, well yes Carl did the original road back when we bought this. I just want to take advantage of the time and you guys need to do your job. I just want to get it subdivided and be done with it; I think the plan is tastefully done.

Chair, great thank you Scott.

Voluntary Lot Merger – Mark Haines Investments, Lots 215-010, 215-010-007 & 215-010-008 Red Hill Farm Road (PVT)

Clerk states Mark Haines would like to voluntarily merge his 3 lots into 1. Chair provides a quick summary. The property was subdivided way back when the music festival bought it and that went under, then Elliott Berkowitz bought it came to the Planning Board and merged a number of the original lots together lots and sold them.

Any questions? Hearing none the Chair states he would entertain a motion to merge the lots.

Peter Louden motions to approve the voluntary lot merger. Seconded by Bill Ricciardi. All were in favor of approving the voluntary lot merger of 215-010, 215-010-007 and 215-010-008.

Clerk will request the recording fee from the property owner to have the lot merger recorded at the Belknap Registry of Deeds.

Bill Ricciardi, once he merges these lots that won't prohibit him from subdividing them in the future, will it?

Clerk, they would have to come back for subdivision and adhere to the minimum acreage that is required by our zoning.

Chair, so that would be 5 acres.

Bill Ricciardi, how big are these lots now?

Clerk, I don't recall. One is small the other two are much bigger I think in total it's 12 acres +/-.

Building Permit Status:

Chair provides quick update regarding building permits. In 2019 we had 61 permits issued, 2020 had 68 permits issued look at 2021, 98 permits issued so far and the month isn't over.

Ordinance Introduction:

Board decided to create an introduction to the zoning ordinance to assist in understanding zoning in the Town of Center Harbor. Clerk states the summary came from the NH Municipal Association during a discussion regarding the type of ordinance the town adopted. The introduction does not require Town Meeting vote, only a vote by the PB to accept the introduction.

Bill Ricciardi motions to accept the Town of Center Harbor Zoning Ordinance cover page as presented. Seconded by Peter Louden. No further discussion Chair just wants wording justified margin and he would also like to hear Alan Rilla's thoughts on this. He's both an attorney and coming from Massachusetts it would be interesting to hear his input. **No further discussion, all were in favor.**

IV. ADJOURNMENT:

Chair adjourns the meeting at 6:55 Next meeting scheduled for January 4, 2022 at 6 p.m. Hearing for Proposed Zoning Ordinance Changes to Section 5:1