

TOWN OF CENTER HARBOR
PLANNING BOARD
Meeting
Tuesday, January 08, 2019
7 p.m.

Chair Charles Hanson called the meeting to order at 7:00 p.m. **Chair announces the Board does not have a quorum for tonight's meeting therefore there will be no vote or decisions made.** Board members present Vice-Chair Peter Loudon, Secretary Bill Ricciardi, Kelli Kemery and Clerk Aimee Manfredi-Sanschagrin. Harry Viens, David Reilly, Bob Coppo, Mark Hildebrand and Winnifred Boynton were absent. In the audience, Maureen Criasia, David Dolan and Sally and Thomas Whalen.

I. **MINUTES:** Approval of minutes deferred to next PB meeting 1/22/2019.

II. **PUBLIC HEARING – SUBDIVISION OF LOT 218-008**

The Board has received an application for Subdivision of lot 218-008 located on 19 Whittier Highway owned by Sally and Thomas Whalen. The proposal is to subdivide lot 218-008, which currently consists of 20.6 acres, into two lots. Lot one will contain a single family dwelling with 5.11 acres. Lot two with a barn will contain the remaining land of approximately 15.49 acres.

David M. Dolan Associates presenting for Thomas and Sally Whalen. Dave states this proposal is to subdivide lot 218 Lot 008 into two lots. Lot consists of approximately 20 acres. Lot one would consists of 5.11 acres lot two would be 15.49 acres. There is a pond on the property which naturally splits the lot and we did ask for a waiver on this parcel. David asks if the Board can make a decision on the waiver the Chair states no unfortunately we cannot.

Without any further discussion Chair continues the hearing to January 22, 2019 @ 7 p.m.

III. **PUBLIC HEARING – ORDINANCE CHANGES FOR 2019 TOWN MEETING**

Board holds their first public meeting for Zoning Ordinance changes in preparation for Town Meeting in March. Full details of the proposed changes can be found on the Town website along with a hard copy that has been posted at the Town Office and Post Office.

Chair states the changes being proposed are a result of a discussion with Ken Ballance. Ken was made aware of changes made by the State and brought a proposal to the Board to request the Town mirror the State in regards to the waterfront grid segments and point system for tree removal. The idea is to keep the shorefront a uniform disbursement of vegetation and with our current ordinance, it would be possible to plant the required number of points in one corner of the segment grid (50x50) essentially clumping trees/bushes resulting in a gap of open space. The reduction in the segment grid will help eliminate that possibility. The Board wants a 25' wide section perpendicular to the shore and 50' depth with a 25 point tree scale in each segment. We inadvertently left the points at a 50 point score during our last meeting, the plan was to reduce that to 25 points.

David Dolan was questioning if we left the 50 points in place on purpose. David mentions Moultonborough has a 100 point requirement in their 50' segment which is what he thought Center Harbor was doing as well. Chair states no, we did not have the intention to do that it was an oversight.

Chair asks if Maureen Criasia has anything to add. Maureen expresses her concern that anytime there are changes to Section 10 she would be in attendance to address proposals before the Board. Maureen continues when she read the proposal from the Town to align Section 10 with the State she became concerned. Maureen continues stating that was exactly the reason why our ordinance is written the way it is because we did not want to match the State. The Town wanted to have their own standalone set of ordinances. Maureen refers the Board to Section 10:2. When I looked at the proposed change as it is now, which is changing the grid but keeping the 50 points, we would be strengthening our ordinance. We are providing for an even tree distribution, no use gaps or point clumping and because of maintaining the 50 points we would be able to prevent run off and erosion of the shorefront. When you fly a drone over Lake Winnepesaukee you can see the siltation plumes that have developed because of the water runoff from the village. Anything that would further compromise that would be contrary to the spirit and intent of this ordinance.

Chair states 25 points is basically what we had already. It was 50 points over 50 now it will be 25 points over 25. Maureen states the science of this ordinance is based on the 2008 Shore land Comprehension Act, since that time NHDES has further diluted their regulations which is the reason why we wrote this ordinance.

The Board knows it doesn't have to mirror the state but in this case it was determined it was a change that would provide a better solution on eliminating tree clumping on the shore front. Bill Ricciardi, my interpretation of this change is better than the 50' x 50' grid with 50 points. We are making the grid smaller and adjusting the points down to 25 but in the end it makes the ordinance stricter. Maureen expresses her concern in the potential drop in points. Bill states it's not a drop in points we still require the same number of points but now it is split because the grid is smaller. Chair, yes but Maureen is referring to the oversight the Board made in not adjusting the points to 25. Bill states, Maureen would be happy leaving 50 points in the 25' x 50' grid segment making it double what it is now. Chair says yes, like what they have in Moultonborough. Chair continues, I think our ordinance is working ok, even Ken Ballance, who was not a big fan of this ordinance to begin with says it's working. I think there are much bigger potential pollution issues, like how we manage storm water like here in the down town. That would be an area to focus some emotional resources along with some monetary resources. Maureen, well that is all part of the Master Plan, to get a storm water management plan that was workable. Chair, part of the implementation of the 10 year road plan involves drainage in the town and already improvements have been made in some parts of town. If you go look at what other towns have we have a comprehensive reasonable ordinance.

Maureen asks if the PB would consider not dropping to 25 points but maybe something in between because it is our ordinance and we don't have to align ourselves with the State. Chair, I think you should come to the next hearing because this is going to be continued and make the case. Personally, I don't think we need to go further than 25 points but other people may have a different opinion. Maureen asks if we are changing the points on the size of trees. Chair, no we are only adjusting the points in the grid segment which was an oversight from our last meeting. Maureen, I'm trying to visualize, if we go to the 25 points, that means someone in that grid of 25' x 50' could remove a 12 inch tree, two 6- 12" trees and one 5" tree? Chair, that sounds right but they have to retain a minimum of 25 points in that grid. Chair, the key metric here is the shore land, we would like to see vegetation along the shoreline distributed evenly as best as possible and that is what this change is going to do. The way the ordinance reads right now with a 50' x 50' grid segment and 50 points of trees, there is potential for wide open gaps with clumping of trees instead of spreading them out. Kelli Kemery, I believe it's doing what you are intending to have happen just somehow it's being misunderstood. I think you're thinking it's making it less dense but it's actually making it denser. Peter Loudon, it makes it denser and provides even distribution. Maureen, anything that provides a more uniform distribution across the shoreline area should help prevent excessive run off. Board states this proposal should do that more effectively. Maureen, asks if the Board feels this should go to Conservation Commission before it goes to warrant. Chair responds we have already gone down the path to make these changes. The Conservation Commission is more than welcome to come to our next hearing and comment as they see fit but at this point we are moving forward, we are in our formal process right now.

Maureen concludes that anything that will help strengthen or validate Section 10 she is in favor of.

Board continues the hearing to January 22, 2019 @ 7 p.m.

IV. 2019 BUDGET

Board needs to discuss and approve the 2019 budget, deferred to next meeting 1/22/2019.

V. ADJOURNMENT

Meeting adjourned at 7:55 p.m. Next meeting scheduled for January 22, 2019 @ 7:00p.m. Respectfully submitted by Aimee Manfredi-Sanschagrin.