

TOWN OF CENTER HARBOR  
PLANNING BOARD  
Hearing/Meeting  
Tuesday, September 4, 2018  
7 p.m.

Chairman Charles Hanson called the meeting to order at 7:00 p.m. Board members present, Secretary Bill Ricciardi, David Reilly and Clerk Aimee Manfredi-Sanschagrin. Absent were, Selectmen's Rep Harry Viens, Peter Loudon, Kelli Kemery, Mark Hildebrand, Bob Coppo and Winnifred Boynton. In the audience property owner Pamela Markley and Surveyor Kent Brown.

**Voting Members: Charles Hanson, David Reilly, Bill Ricciardi and Alternate/Clerk Aimee Manfredi-Sanschagrin.**

- I. **MINUTES:** Bill Ricciardi motioned to accept the August 7, 2018, minutes. It was seconded by David Reilly. All were in favor.

- II. **PERMITS**  
Board reviewed the permits issued in August.

- III. **PUBLIC HEARING BOUNDARY LINE ADJUSTMENT – MARKLEY 103-018 AND BEMISS 217-003**  
Chairman announces the case, Kent Brown of Brown Engineering and Surveying, LLC was in attendance to present the case for Boundary Line Adjustment between Map 103 Lot 018 and Map 217 Lot 003. Mr. Brown had letters of authorization from both parties to speak on their behalf.

Kent Brown introduces himself states the properties involved with the Boundary Line Adjustment (BLA) are Pamela Markley property which consists of 1.36 acres and David and Nicole Bemiss which their lot consists of 11.1 acres. The property owners would like to take the corner triangular piece (shows on map) which the Markley's have been mowing/maintaining and bring that portion into their piece to clean up the boundary line. This would make the Markley property increase from 1.36 acres to 1.59 acres. The Bemiss property would reduce from 11.1 acres to 10.87 acres.

Chairman, it essentially squares off the lot line for the Markley property. Kent Brown, yes. Chairman asks Kent Brown to show the Board the ROW for the driveway which leads to the Hyslip property. Kent Brown shows the Board the location of that driveway on the plan, that ROW is not impacted by this request.

Chairman asks the clerk if the application is complete. Clerk responds yes. Chairman asks for a motion to accept the application.

**Motion: Bill Ricciardi makes a motion to accept the application as complete. Seconded by David Reilly. All were in favor of accepting the application.**

**Motion: Bill Ricciardi motions to accept the proposal as presented. Seconded by Bill Ricciardi. All were in favor of approval the proposal as presented.**

- IV. **OTHER**  
**Center Harbor Inn – Dock/Mooring Seasonal Rentals**

Board discusses the email from the Town Clerk regarding Center Harbor Inn mooring rental. Bill Ricciardi, to be clear they cannot rent the mooring. Ken Ballance, State Law prohibits the seasonal rental of moorings, the fact of the matter is they said they were not going to do it and they are. Chairman, for us it's not our issue, it's up to the Board of Selectmen to enforce. The Planning Board sent a letter to Center Harbor Inn dated May 7, 2018, in response to the Center Harbor Inn's informal discussion with the Board on April 3, 2018. The letter clearly outlined what was and was not allowed in regards to dock/mooring seasonal rentals. It is disturbing to learn that with that very clear knowledge that may not be the case.

**2019 possible Ordinance Changes – Discussion**

**Section 10:6:3:3:2**

Ken Ballance speaks to Section 10:6:3:3:2 where it refers to a 50' x 50' grid, which we took originally from the State but that they have recently revised, it would be wise for the Town to follow the same guidelines as what the State now uses which is to change the 50'x 50' segment to a 25'x 50' segment. The reason for this is to avoid the clumping of 50 points of trees in one corner leaving 45' of open space. The State adjusted that down to a 25' x 50' which means you have to have 25 points every 25' which eliminates the clumping. This would make us for number 1, in line with the State and number 2, makes it more stringent than what we have now. This would require 25 points of trees in every 25' across the face of the shorefront.

Ken provides some information about a property in town where the Town and State have run into an issue and believes by making these changes it would help to address this issue if it comes again. By making these changes we are making our Ordinance more stringent but it would mirror what the State has.

### **Section 9:1:3**

Ken states this Section just needs to be cleaned up. What is in this Section is messy, the property in question merged with another lot therefore the wording is incorrect unless the Town wants to have another property that has land in two different zones. The recommendation is to change the wording in this Section when it refers to “following a straight line of approximately five hundred (500) feet to the northwesterly corner of the tax map lot number 102-79” and amend that to “following a straight line to the northwesterly corner of tax map lot number 102-79” removing the “approximately five hundred (500) feet” from the sentence. By removing this distance we will then that entire parcel in the same zone, otherwise it is split between two zones. The map will need to be adjusted if this change is approved to show the zoning line incorporates the entire parcel, the current map shows the lot being split in half by a zoning line. 102-079 will be entirely in the Commercial Village Zone if this change is approved instead of partially in the Commercial Village and partially in the Residential.

Chairman asks the Clerk to draft the potential ordinance changes so it can be presented to the Board at their next meeting to discuss and decide if the changes should be brought to Town Meeting.

Meeting adjourned at 7:33 p.m. Next meeting scheduled for October 2, 2018 @ 7:00p.m. Respectfully submitted by Aimee Manfredi-Sanschagrin.