

TOWN OF CENTER HARBOR
PLANNING BOARD
Work session
Tuesday, September 17, 2019
6 p.m.

Due to the pre-noticed late arrival of Chair Charley Hanson, Chair-pro tem Bill Ricciardi called the meeting to order at 6:01 p.m. Board members present Selectmen's Rep Harry Viens, Member David Reilly, Kelli Kemery and Mark Hildebrand. Alternate Member Winnifred Boynton and Clerk Aimee Manfredi-Sanschagrin. Also in attendance Code Enforcement Officer Ken Ballance. Absent were Vice-Chairman Peter Louden and Rachel Xavier. (Chair Charley Hanson arrived at 6:07 p.m.)

Voting Members: Charles Hanson, Harry Viens, Bill Ricciardi, David Reilly, Kelli Kemery and Mark Hildebrand.

MINUTES: (Voting members on minutes Harry Viens, Bill Ricciardi, David Reilly, Kelli Kemery and Mark Hildebrand)

- I. Mark Hildebrand motioned to approve the minutes of September 3, 2019 as presented. Seconded by David Reilly. All were in favor the minutes pass unanimously.

II. SECTION 6 – WORK SESSION

Board reviews a letter the Board of Selectmen (BoS) would be sending out to the Center Harbor Town Businesses as a follow up to the letter the BoS sent in May. Contained in that mailing will be an inventory sheet for each business to complete and send back to the BoS. The deadline in the letter was adjusted from October 1st to November 1st.

Board discusses possible changes to Section 6. The primary review pertained to Section 6:3:1 and 6:3:3. Ken Ballance gave the Board some history on why the two sections were created. Multiple Board members commented the wording was too confusing between the sections and there seemed to be some favoritism for multiple businesses housed in one building under one ownership as opposed to a single business contained within an independent structure. Ken provided explanation that some of the sign approval for certain situations would be dealt with through Site Plan Review. Questions surrounding the wording “up to five (5) signs...” in section 6:3:4 but no reference to “up to five (5) signs...” in section 6:3:1 also seemed too confusing.

The Board stated that in 6:3:4 the word “building” at the end of the first sentence they felt should be changed to “business”. It was also recommended by Selectmen's Rep Harry Viens in order to remain consistent, the words “per business” should be added to the column identified under that section titled “Total Square Footage of Signage Allowed”.

The bulk of the discussion was surrounding the inconsistencies and confusion between the two sections. Chair states perhaps the Board should wait out this year for bulk changes to this section. To have the inventory sheets come in for review and see where we are at the end of that process and pick this back up in spring of 2020. Kelli Kemery agreed, she stated she finds this section very confusing and once we have a grasp on what is out there and get that situated the entire section may need to be rewritten. Ken adds, it's not about us leading people by the hand and the Town needs to be careful about being too specific. Kelli responds, I'm not advocating making the section more restrictive, I'm saying it just needs to be clearer.

Chair asks Ken Ballance if Code Enforcement is contacted when a new business comes in. Ken responds yes. Any external sign on a building, which is why it's stated in the ordinance, you need a building permit because you need to show us what you want to do. We can't regulate content but we can regulate what it looks like, not that we do that but we can.

Chair states there were a couple other things. Clerk refers to the request to allow a 3' x 5' open flag to the home occupation section which currently only allows one sign no larger than one square foot in size indicating "open" or "closed". Mark Hildebrand stated he wasn't sure if he would be in favor of this gives an example of "eggs for sale". Bill states that he didn't think that would be considered a home occupation. Kelli Kemery asks about an antique store, Ken responds an antique store has its own section under home occupation.

Chair asks the Clerk what the other small items were. Clerk responds adding the requirement for a "construction permit" under the Site Plan application which would be a policy change. Add the same wording to the Non-Residential Site Plan section of the ordinance which would require a regular public meeting and PB vote. Harry asks about adding the Feather Sign as prohibited under Section 6:6. Chair responds yes we need to add that "feather signs/flags are prohibited". Chair states that change would need to go to Town Meeting.

Harry also mentions in Section 6:7 where it refers to sandwich board signs that he typically sees them in the Town right of way which is not allowed so he asks what we need to do about those. Ken states what we allow for temporary signs is very specific and advertisement for a business on a temporary sign is not allowed. Harry asks for clarification, by stating they can put the sandwich board sign on their own property but if it's on the Town right of way it's not allowed and what would need to be done about those? Ken states, they can place sandwich board signs on their own property but it is illegal to place them in the Town right of way so that would need enforcement to resolve that issue. Chair adds, we could add something that states illegally placed signs will be removed and may be obtained at the Town Office for a fee of \$50.00. Harry responds that is an interesting idea and will discuss with the BoS.

Chair, one last thing I had would be in Section 6:2:1 Temporary Signs regarding the size we allow. Does anyone think we should make the size a little smaller? Ken, this only applies to events for charitable and non-profits not for businesses. Harry responds, he doesn't want to touch that section if it is for non-profit, he would like to leave that alone. Mark Hildebrand agreed with Harry he didn't want to make any modifications to that section. Winnifred Boynton states it's temporary for that event, theoretically it would be taken down after the event is over so she too was fine with leaving that section alone.

Chair asks Harry if he would inform the BoS that the PB has done their duty as they agreed to and while the Board is not abandoning making any changes of significance, the Board feels as though more information is needed. Chair continues, it is the Boards position to allow the enforcement portion play out first and will take it up again once all of that is settled. We have a few minor items for Town Meeting but again, nothing of real significance. Harry responds he will report back to the BoS.

III. ADJOURNMENT

Meeting adjourned at 7:14 p.m. Next public meeting scheduled for October 1, 2019.