

TOWN OF CENTER HARBOR
PLANNING BOARD
Zoom Meeting
Tuesday, January 5, 2021

Chairman Charles Hanson calls the meeting to order at 6 p.m. Chairman starts the meeting by saying Happy New Year to the Board and wishes hope for a better year. Chair announced the meeting was being recorded and provides the protocol of the meeting in accordance with the Governor's emergency order regarding public meetings. (a complete copy of the protocol is contained in this set of minutes)

Chair states the meeting will start by taking a roll call attendance by Clerk Manfredi and just to be clear because we are using this electronic format to have our meeting, Bill Ricciardi is our Host for the meeting and Aimee Manfredi will be our Clerk for most of the meeting. With that being said, Aimee, will you please go ahead and start with the roll call attendance.

Clerk provides the roll call attendance:

Roll Call: **Chairman, Charles Hanson, present no one else in the room**
 Vice Chair, Peter Louden, in attendance with no one else in the room
 Secretary, Bill Ricciardi, in attendance with no one else in the room
 Selectmen's Rep, Harry Viens, in attendance with no one else in the room
 Member, Kelli Kemery, in attendance with no one else in the room
 Member, Mark Hildebrand, in attendance with no one else in the room
 Member, Rachel Xavier, in attendance with no one else in the room
 Alternate Member, Ken Ballance, in attendance with no one else in the room
 Alternate Member, David Nelson, in attendance his wife is present

All votes will be by Roll Call. Voting members are myself, Charles Hanson, Peter Louden, Bill Ricciardi, Harry Viens, Kelli Kemery, Mark Hildebrand and Rachel Xavier.

I. MINUTES:

Chair asks for a motion to approve the minutes from December 1, 2020. Peter Louden motions to approve the minutes as read. Bill Ricciardi seconds the motion. Chair adds one item, he noticed during the December 1, 2020 vote to approve the minutes during the member roll call vote everyone said "yes" or "aye" but there was nothing entered for Bill Ricciardi and I'm pretty sure he voted "aye" on the minutes. Bill responds yes, I voted "aye". Clerk states she will amend the minutes to reflect Bill Ricciardi's vote as "aye". Chair asks if anyone else has anything to add regarding the minutes? Hearing none, Manfredi will you take the roll call vote:

Roll Call Vote:

Chairman, Charles Hanson, yes
Member, Rachel Xavier, yes
Vice Chair, Peter Louden, yes
Selectmen's Rep, Harry Viens, yes

Member, Mark Hildebrand, yes
Member Kelli Kemery, yes
Secretary, Bill Ricciardi, yes

II. MOTION FOR RECONSIDERATION/REHEARING Case No. 2020-0505:

Chair states for this matter which is the discussion for the Motion to Reconsider, Aimee I will ask you to recuse yourself from this portion of the meeting. Chair continues, this meeting is being recorded so Sheila Mohan, who has transcribed all the other minutes that pertain to this particular topic, will transcribe this portion. This will be a discussion amongst the Planning Board. We did receive a Motion for Reconsideration from Attorney Taussig that was filed with the Planning Board. There was also a filing with the ZBA which is a different matter. Chair asks, did every member receive a copy of the information? Members responded yes, Chair confirms everyone was accounted for and asked did any member “not” receive the application? No response.

Chair continues, I’ve done some research on this matter, on the statute specifically, and was led to believe based on my research, which I did run by our Town Counsel, that I do not believe the Planning Board actually has jurisdiction to consider the motion. The statute cited was reserved for ZBA matters alone. We are a Planning Board not a ZBA, they are very different. Does any member believe differently based on their review of the information? Bill Ricciardi only member to verbally state no. All other members were silent.

Motion:

Chair makes a motion to formalize the matter, the Planning Board does not have jurisdiction to reconsider this matter and as such will not. That is my motion, do I have a second? Peter Loudon states he will second that motion. Any discussion about the motion by members? Hearing none, Bill please provide the roll call vote:

Bill Ricciardi provides Roll Call Vote:

**Charles Hanson, yes
Bill Ricciardi, yes
Rachel Xavier, yes
Kelli Kemery, yes
Harry Viens, yes
Mark Hildebrand, yes
Peter Loudon, yes**

Chair states, that’s an affirmative vote.

(This portion of the minutes transcribed from recording by Clerk Pro-Tem Sheila Mohan)

IV. PERMITS:

Permits for December were Ohnemus and Pascoe. Chair asks if there are any comments about the permits? Hearing none.

V. OTHER BUSINESS:

Chair asks if there is any other business to come before the Board.

Bill Ricciardi asks about the letter from Thomas Walker, did we need to discuss that? Chair, in terms of? Bill Ricciardi, we were just supposed to read the letter because that’s not really in our

purview? Chair, no it's not something that has been on the radar but we can revisit that. Maybe we can see if we can take it up at our next meeting if we need to.

VI. ADJOURNMENT:

Chair wishes everyone a Happy New Year; members respond Happy New Year.

Chair adjourns the meeting at 6:17 p.m.

Next Meeting is scheduled for February 2, 2021 at 6 p.m. via Zoom.