

TOWN OF CENTER HARBOR  
PLANNING BOARD  
Zoom Meeting  
Tuesday, May 4, 2021 @ 6 p.m.

**Chairman Charles Hanson calls the meeting to order at 6:02 p.m. 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.

**Clerk provides the roll call attendance:**

**Roll Call:**      **Chairman, Charles Hanson, in attendance with no one else in the room.**  
                     **Vice Chair, Peter Loudon, 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, Rachel Xavier, in attendance her husband in the other room.**

**\*\*Zoom connection problems occurred for this meeting resulting in some members not being able to access (Mark Hildebrand and David Nelson) \*\***

**Voting Members: Charles Hanson, Peter Loudon, Bill Ricciardi, Harry Viens, Kelli Kemery and Rachel Xavier.**

**Public attendance: Surveyor David Dolan**

**I. MINUTES:**

Chair asks for a motion on the April 6, 2021 minutes. Peter Loudon motions to accept the April 6, 2021 minutes as written. Bill Ricciardi seconds the motion. All were in favor.

**Clerk provides the roll call vote:**

<b>Roll Call:</b>	<b>Chairman, Charles Hanson, yes</b>	<b>Member, Kelli Kemery, yes</b>
	<b>Vice Chair, Peter Loudon, yes</b>	<b>Member, Rachel Xavier, yes</b>
	<b>Secretary, Bill Ricciardi, yes</b>	
	<b>Selectmen's Rep, Harry Viens, yes</b>	

## **II. HEARING – SUBDIVISION OF LAND JILDA B. BARKER 2003 TRUST MAP 218 LOT 003**

(Continued from April 6, 2021) The proposal is to subdivide a portion of land from map 218 lot 003 located at 132 Whittier Highway to create a new lot (218-003.1). Map 218 lot 003 currently consists of approximately 20.79 acres which on approval of this subdivision will decrease to 15.79 acres. The remaining 5.32 acres will be contained in the new lot.

Chair starts by stating the Board received some information from David Dolan which was an updated proposal based on a site walk that was conducted by Road Agent Jeff Haines, Fire Chief Leon Manville, Surveyor David Dolan, Code Enforcement Officer Bill Doucette, Chair Charles Hanson, Member Bill Ricciardi and Clerk Aimee Manfredi-Sanschagrín on April 22<sup>nd</sup> at 11 a.m.

A waiver has been submitted by David Dolan for the applicants. David Dolan took the input from the parties present to incorporate into a plan. (Waiver request contained in this set of minutes). David Dolan goes through the waiver request which discusses providing a cul-de-sac and turn out areas off of the existing driveway for Emergency Vehicles. David Dolan shares the newly designed plan with the Board.

David Dolan states that based on the input from Chief Manville and Road Agent Jeff Haines there would be upgrades made to the existing driveway and there was discussion at the site walk that should there be a request to further subdivide the remaining large lot, an application would need to be submitted to the Board and that the road would need to be built up to town specs prior to any further subdivision.

Chair asks if there are any question from the Board. Bill Ricciardi, looking at the plan it looks great covering everything we discussed including the proposed cul-de-sac. Chair, the main features that were concerns that Dave has addressed starting at route 25 (asks David Dolan to place is cursor at rte 25 entrance to property) the gate is only 12-14', there are two stone posts that will be widened to 18' which is satisfactory to Chief Manville. Next as you travel down the driveway there are two bump outs, the purpose of that is if two fire trucks are accessing in opposite directions one has room to pull of safely while the other passes. At the end where the cul-de-sac is, that's room enough for trucks to turn around without backing up. This location already has a natural area carved out so this was a nice fit for the location of the cul-de-sac. Those were all the changes discussed along with the note about improving the actual surface to a 12" base to a 6" top coat of gravel as opposed to bituminous material.

Chair asks if there are any members that have questions or comments. Hearing none, the Chair states he would like to propose the following administrative approach to this. Tonight, we could vote on the request for the waiver.

**Motion: Chairman motions to approve the waiver request as written. Bill Ricciardi seconds the motion. Chair asks if there are any questions or comments. Hearing none the Clerk provides the roll call vote.**

### **Roll Call Vote by Clerk:**

**Chairman, Charles Hanson, yes**  
**Vice Chair, Peter Loudon, yes**  
**Secretary, Bill Ricciardi, yes**  
**Selectmen's Rep, Harry Viens, yes**

**Member, Kelli Kemery, yes**  
**Member, Rachel Xavier, yes**

**All in favor of approving the waiver as written.**

Chair continues, the second part of this is pertaining to the road/site itself. One thing we have not done yet is run this by our town engineer which I think might be prudent. I propose we continue this hearing so that we can get feedback from our engineer on this plan, if other members felt that was a decent idea. Members agreed to that approach.

Chair announces to the applicant that the applicant is responsible for the work performed. The way the town does that is by requiring a deposit upfront of \$750.00 payable to the Town of Center Harbor. We will have our engineer review this plan and if there is money left over it will be refunded or if it's more you will be responsible for the payment of those costs. Dave Dolan, I just want to point out this is not an engineering plan but it was to layout the concept based on what was discussed on site. I would expect questions from the engineer on things that need to be on this plan. Chair, I understand, not unlike recent approvals we have given our engineer is pretty good at being practical for the situation. Dave Dolan asks who the town engineer is. Chair responds Jim Bouchard of Quantum Consultants.

Any other questions about this matter? Hearing none the Chair continues this hearing to the second meeting in May which is May 18<sup>th</sup> at 6 p.m. Chair asks if Dave Dolan could let Mr. Barker know or if Mr. Barker was on the call that a check can be dropped off or mailed to the Town Office and that was \$750.00. Dave Dolan states he has the information and will relay it.

Chair concludes this portion of the meeting but adds, "Mr. Dolan I was sad to hear that you were retiring from your profession because in my experience here in Center Harbor, whenever you have presented proposals, they've always been really good and you will be missed as somebody that comes before this Board". Dave Dolan thanks the Chair and states that's his plan but doesn't believe it's going to be as easy as he anticipates. Dave Dolan thanks the Board for the way he has been treated over the years.

### **III. PERMITS:**

Xavier, Brown, Harrington, Elcock, Macomber, Rose and Willey. No comments by the Board.

### **IV. OTHER BUSINESS: (Transcribed by Sheila Mohan)**

DES Letter – Chair states this item is based all on correspondence relating to the Kline matter we decided at the end of last year. A letter was sent from DES to the Klines stating they needed to do a little more work in regards to the wetlands, which this letter is from the Wetlands Bureau. Part of that approval is seeking input from the Conservation Commission which the Conservation Commission is working on so that is in process. Once that is resolved, this will more than likely

come back to the Board for an adjusted approval for that end of the road. Today we received a letter along with a very late response from Mr. Taussig. First letter was from Attorney Philpot the other letter was from Attorney Taussig and so we will be taking those up at another time. Literally I got one letter at 5:15 so some of you probably haven't even seen it yet. Anyway, we have received those and will take them up at the appropriate time. Any questions about that correspondence. Hearing none, the Chair asks if there is any other business to come before the Board. Chair apologizes to Mr. George that he just reconnected to the meeting and that the Board was just ready to adjourn. Mr. George responded it was nice to see everyone and he just thought he would see how Town Government was running in Center Harbor. Mr. George states they will be back in the area shortly and for everyone to be well.

**IV. ADJOURNMENT:**

Chair adjourns the meeting at 6:25 p.m. Next PB Meeting is scheduled for May 18<sup>th</sup> at 6 p.m. via Zoom.

## A Checklist To Ensure Meetings Are Compliant With The Right-to-Know Law During The State Of Emergency

As Chair of the Center Harbor Planning Board I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

*a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:*

We are utilizing the ZOOM platform for this electronic meeting.<sup>1</sup> All members of the Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting by visiting the Town's website [www.centerharbornh.org/planning-board](http://www.centerharbornh.org/planning-board) and following the directions as outlined.

*b) Providing public notice of the necessary information for accessing the meeting:*

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Center Harbor Planning Board at: [www.centerharbornh.org/planning-board](http://www.centerharbornh.org/planning-board)

*c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:*

If anybody has a problem, please call 603-481-1485

*d) Adjourning the meeting if the public is unable to access the meeting:*

**In the event the public is unable to access the meeting by telephone, the meeting will adjourn and be rescheduled. Said adjournment would only be in the case of a complete system/platform failure  
NOT for individual user issues.**

Please note that all votes that are taken during this meeting shall be done by roll call vote.

Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

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<sup>1</sup> Many public bodies are utilizing video teleconferencing technology, such as Zoom, to ensure the electronic meeting comply with the Right-to-Know law and any applicable due process requirements. In certain circumstances, a regular business meeting of a public body may be conducted utilizing audio-only technology. If you have any questions about the appropriateness of the technology utilized to conduct your meeting, please consult your agency counsel or the Attorney General's Office.