

TOWN OF CENTER HARBOR
PLANNING BOARD
Zoom Meeting
Tuesday, May 18, 2021 @ 6 p.m.

Chairman Charles Hanson calls the meeting to order at 6:00 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 (Harry joined the zoom meeting a few minutes late due to computer issues. Mr. Viens was not present for the vote on the minutes or the motion to approve the application as complete).
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 no one else in the room.
Alternate Member, David Nelson, in attendance no one else in the room.

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

Public input: Surveyor David Dolan, Deveraux Barker

I. MINUTES:

Chair asks for a motion on the May 04, 2021 minutes. Peter Loudon motions to accept the May 04, 2021 minutes as written. Kelli Kemery seconds the motion. All were in favor.

Clerk provides the roll call vote:

Roll Call:	Chairman, Charles Hanson, yes	Member, Kelli Kemery, yes
	Vice Chair, Peter Loudon, yes	Member, Mark Hildebrand, yes
	Secretary, Bill Ricciardi, yes	Member, Rachel Xavier, yes

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

(Continued from May 4, 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 since our last meeting the town engineer reviewed the plan by Mr. Dolan which should have gone out to the Board yesterday. I will summarize that he concurred with the approach and agreed with the manner in which Mr. Dolan presented the improvements. You may remember we received Mr. Dolan's road improvement plan last meeting. I think we have all the administrative pieces so I would ask for a motion to consider the application as complete.

Motion: Vice Chair Peter Loudon makes a motion to consider the application as complete. Member Mark Hildebrand seconds the motion. Chair asks if there is any discussion about the application being complete. Hearing none Chair asks Clerk to provide roll call vote:

Roll Call Vote by Clerk:

**Chairman, Charles Hanson, yes
Vice Chair, Peter Loudon, yes
Secretary, Bill Ricciardi, yes**

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

All in favor of approving the application is complete.

(Selectmen's Rep Harry Viens joins at 6:09 as well as applicant Deveraux Barker)
Chair updates Harry the Board just voted to accept the application as complete, Chair also welcomes Mr. Deveraux Barker to the meeting.

Chair provides a recap. At the last meeting, the Board granted the waiver on the road width and the bituminous aspect of it which is defined under 9:2:3 and 9:2:7. At this point, I would make a motion.

Motion:

Chairman Charles Hanson motions to approve the plan for the subdivision with the changes outlined on the plan. The two plans need to be integrated with the main features being the pull offs at every 400' interval and the cul-de-sac along with the widening of the width of the entrance to 18' being the highlighted features. Seconded by Peter Loudon. Chair asks if there is any discussion or questions from the Board.

Bill Ricciardi, did Mr. Dolan want to add anything before we vote on this? David Dolan responds yes, when you talk about integrating plans, you are talking about the comments on the road plan with the subdivision plan or a note? The subdivision plan will get recorded but the road plan probably won't. Chair, well is there any reason why the road/notes cannot be provided on the plan as an overlay? David Dolan, yes, I will do that. I just want to point out since we met last just to make sure we do everything right; I did have the wetlands scientist walk down the road just to be sure we weren't putting a cul-de-sac in a wetland. He also verified there is nothing on Lot 1 now that the snow is all gone. David Dolan continues, he did point out about 350' down the driveway on each side of an existing culvert, there is a small wetland coming into that culvert and exiting but there is

sufficient space between those wetlands and the ends of the culverts to complete the improvements as we proposed. I just want to make everyone aware of that because that is more information we now have. We did want to take a look at that so we could make sure we don't get anyone in trouble and accommodate those improvements without getting into the wetlands. I will incorporate the notes onto the subdivision and also set the monuments and lot corners and note the same on a final plan. Chair responds, great and as I said last time Dave, you are thorough at what you do, thank you very much. David Dolan responds, thank you. Chair asks any other comments or questions.

Selectmen's Rep Harry Viens, Mr. Chairman I have a comment. I would like to compliment not only Dave but also the applicant, the way they handled this whole application. It was by the book, incredibly cooperative and it's just a pleasure to have an application like this come through. David Dolan thanks Harry and comments it seems to work better when you cooperate through the process. Harry Viens, it sure does and you did a great job.

Chair asks if Mr. Barker would like to comment, Mr. Barker responds he would.

Mr. Barker, kudos to you guys. You have made it a pleasure, Charley, particularly, for Dave and I and Jilda to work through this. We have enjoyed the process, expensive as it is probably going to turn out to be, we are going to end up with a better road and we are grateful for that. Now I just need to find a road contractor so if you have any connections, please send them my way. Mr. Barker continues, the lot cannot be improved until the road is improved so I guess we will be back when we've improved the road. Finally, I have not seen the engineer report and at some point, I would like to do that especially because it was done essentially at my expense so that leaves the question, how much of that \$750.00 am I going to get back? Chair, well I'm going to comment on that in a minute but I would like to finish up this administrative stuff so Aimee why don't we go ahead and do the roll call.

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, Mark Hildebrand, yes
Member, Rachel Xavier, yes

All in favor of approving the subdivision application.

Chair reminds the applicant there is a 30-day appeal period after which we can sign the final plan and mylar at the first meeting after the 30 days. In regards to the \$750.00 for the report, I believe Dave you received a copy of the engineer's report, correct? David Dolan responds yes, David states he did forward that on to Mr. Barker. Not sure if he got the email but I did send it. David Dolan continues, just to repeat Mr. Barker's comments, thank you to the Board and all its members for the time they put into this, you run a comfortable meeting. I'm certainly not going to miss going to Planning Board meetings but best to all of you. Board thanks David.

Chair, to Mr. Barker, as soon as we get the bill from our engineer, we will pay that and settle up with you whether we owe you or you owe us. I don't think there will be any additional due, I think some will be refunded but you only pay for the actual cost so thank you very much. This matter is concluded.

III. PERMITS:

Walsh, Ronci, Christensen, Hahs, Lamprey, Ricciardi, Currell, Weeks and Coudert.

IV. OTHER:

Chair, the only item I had and I know Aimee polled the Board, next meeting which is June 1st, we are going to go ahead to in person meetings at the municipal building. We will still be maintaining social distancing and mask protocols. We will see what the CDC guidance is. Perhaps we can space ourselves out and take our mask off during the meeting, I am not sure yet. We are going to keep following that guidance but go back to public in person meetings unless someone voices a strong objection one way or the other. Chair asks if anyone has anything else they would like to discuss? Hearing none Chair adjourns the meeting.

IV. ADJOURNMENT:

Meeting adjourned at 6:25 p.m. Next PB Meeting is scheduled for June 1, at 6 p.m. in the Cary Mead Room of the Municipal Building. Masks are required.

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.¹ 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 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

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.

¹ Many public bodies are utilizing video conferencing 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.