

CENTER HARBOR PLANNING BOARD  
Tuesday, May 5, 2009

The meeting of the Center Harbor Planning Board was called to order at 7:12 P.M. by Chairman Lee Mattson. Those present were: Charley Hanson, Barbara Lauterbach, Helen Heiner, Chuck Burns, and clerk Sheila Mohan.

I. Minutes. The Minutes of April 21, 2009 were approved as read.

II. Paul Maggi Trust – NRSPR Hearing. TML #6-24. Mr. Maggi would like to have a Bed and Breakfast using 5 bedrooms of the existing 6 bedrooms in his home located at 224 Dane Road. In addition Mr. Maggi would like to use as many as 2 cottages for lodging and a 40' by 60' tent to accommodate events such as weddings. Mr. Maggi's plan shows two areas for parking; one is located near the Dane Road entrance to the property and would accommodate 40 cars, the other area is beyond the utility barn, showing room for 60 spaces, with an access off of Center Harbor Neck Road. The parking spaces will be 10'x20' with a 20' aisle in between the rows. The parking areas will be grass, not gravel or blacktop. The plan shows auxiliary parking for 16 cars along the driveway. There are 6 parking spaces shown for the Bed and Breakfast guests adjacent to the carriage house. Mr. Maggi proposed using the blacksmith shop as a guest cottage and will put a leach field in for it. Mr. Maggi said that he is talking with the owner of the abutting property about moving the brick building located on TML #6-24.1 and using it for a guest cottage. Mr. Maggi said that this is not on his agenda for this year but may be in the future. Lee Mattson asked Mr. Maggi how many guests he could have. Mr. Maggi said 10 or 12. The septic system is an unknown quantity. Mr. Maggi said if there are any problems he will have the septic pumped. Mr. Maggi said that David Ames has looked at the septic system and said that eventually it will have to be replaced. Mr. Maggi is reluctant to spend the money right now. Mr. Maggi said that he will be living on the property. The property has an artesian well that produces 1½ gallons of water a minute. Mr. Maggi said that for the events portable toilets would be used. Charley Hanson said that for the events a police detail should be used to direct traffic. Helen Heiner asked what was being done for fire safety. Mr. Maggi said that he has worked out egress with the Fire Department. There will be a 200 amp generator and a pressurized hydrant on the property. Chuck Burns asked if there would be accessory tents or structures for the events. Mr. Maggi said that there would be a 40'x 60' tent. He also said that there would be music. Fire Chief John Schlemmer suggested that there be a condition on the number of people for that size tent. Barbara Lauterbach said that if the events were catered another tent would be needed. Mr. Maggi said that the caterers would probably use his kitchen. Chuck Burns feels that this application is growing and there is a lot of speculation. Mr. Burns would like more concise information regarding the different aspects of this site plan. Nat Dane said that he had heard about the proposal for a bed and breakfast but not about the events. He is concerned about the music, lights, traffic and noise. Atty. Peter Minkow representing Mr. Dane said that he is concerned about the event center and would like to see restrictions on noise, lighting and traffic. Atty. Minkow also told the Board that this business is being marketed on a website

without approvals. Tony Halsey, an abutter, said that he is concerned also; when this was first presented it was for a bed and breakfast. Lee Mattson said that Mr. Maggi is asking for two uses, one for a bed and breakfast, and the other for events which is causing controversy. Mr. Mattson said that the Board could act on the bed and breakfast first and the rest of the proposal later. Mr. Mattson feels that that the Board needs more information. Helen Heiner also feels that the Board needs more information. Charley Hanson said that the Board needs to know where this is going. Chuck Burns said that he wants to know what he is approving. Mr. Mattson said that the Board needs a more detailed application with a narrative that includes the number of people, parking, septic, water, lighting, music and hours of the events. This hearing was continued to May, 19, 2009 at 7:15 P.M.

III. Mehmet Duymazlar – NRSPR Hearing. Mr. Duymazlar would like to have an ice cream parlor and sandwich shop in one of the units located at 34 Plymouth Street. The footprint of the building will stay the same. There are two existing entrances to this unit. Mr. Duymazlar proposes to have a counter along the window looking out toward the lake and tables and chairs. Mr. Duymazlar has State approval for 24 seats. There will be take-out service but no take-out window. No alcohol will be serviced. Mr. Duymazlar will serve deli sandwiches, there will be no grill or fryalator. Helen Heiner asked about outside seating. Mr. Duymazlar said that there would be a couple of picnic tables. Erol Duymazlar said that he considers this shared space and the other tenants in the building would be using the picnic tables also. The hours of operation would be from 7:00 A.M. to 10:00 P.M., seven days a week. Fire Chief John Schlemmer said that the outside use would be a separate place of assembly. The restaurant will have a sprinkler system. This property has 13 parking spaces with an easement for 23 more spaces in the Senter's Market parking lot. It was moved by Charley Hanson and seconded by Helen Heiner to accept the completed application. The vote was unanimously in favor. It was moved by Chuck Burns and seconded by Charley Hanson to approve this Non-Residential Site Plan as presented with the following conditions: 1. There shall be 11 parking spaces for the restaurant, 5 parking spaces for Bella's Bead Shop, and 8 parking spaces for the tenants; 2. The hours of operation shall not extend past 10:00 P.M. The vote was unanimously in favor.

IV. Bruce Gavarny – Discussion. Mr. Gavarny asked the Planning Board for clarification of a letter sent to him regarding RSA 674:21-a. RSA 674:21-a allows the Planning Board to enforce development restrictions. Mr. Gavarny came in to see the Planning Board on April 7, 2009 to discuss a possible subdivision of TML #1-18. At that time Carl Johnson of Associated Surveyors suggested to the Planning Board that Mr. Gavarny might want to attach TML #14.2 to acreage from TML #1-18 to make a 5 acre lot and build on TML #1-14.2. Mr. Mattson explained to Mr. Gavarny that the Board may have led him to believe that this was not a problem. Mr. Mattson read the Minutes of a subdivision of TML #1-14. There is a note on the plan saying that what is now TML #1-14.2 is a nonbuilding lot. RSA 674:21-a may prevent building on TML #1-14.2 and the Planning Board wanted to make Mr. Gavarny aware of a possible problem.

V. Other Business:

1 Cynthia M. Melo 2006 Trust. The Planning Board will ask the Selectmen to send a letter to the Melo's regarding the landscaping equipment on the property.

2. The Mug. Mr. Ursillo would like to have outdoor seating and music on a regular basis at this property. The Planning Board suggested a NRSPR Hearing. The Selectmen will send a letter to Mr. Ursillo and Ms. Elflin regarding this matter.

VI. The Chairman adjourned the meeting at 9:05 P.M.

Submitted by,