

CENTER HARBOR PLANNING BOARD

Tuesday, May 19, 2009

The meeting of the Center Harbor Planning Board was called to order at 7:10 P.M. by Chairman Lee Mattson. Those present were: Charley Hanson, Chuck Burns, Mark Stearns, Harry Viens, and clerk Sheila Mohan.

- I. Minutes. The Minutes of May 5, 2009 were approved with the correction of two typographically errors.

- II. Thomas Murdough – Discuss Second Dwelling Unit on a Lot. David Dolan has surveyed this property located on Owl's Head Road. This property has 700' of shore frontage on Squam Lake. There is an existing dwelling on this property and the Murdoughs would like to build a second dwelling on this property. This would need an endorsement by the Planning Board. Lee Mattson explained to Mr. Murdough that he would need to show that this property could be subdivided under the Town and State Regulations. Mr. Murdough said that the siting of the new dwelling would keep it close to the existing building and the deck would connect the two buildings. Lee Mattson asked if this would be a second dwelling or an extension of the existing building. Mr. Murdough said that it would have a kitchen which would make it a dwelling unit. Mr. Mattson said that this did not appear to be subdividable. Mr. Murdough said that they did not intend to subdivide the property. Building Inspector Ken Balance said that this would need ZBA approval if Mr. Murdough could not show subdividability. Mr. Mattson read Section 5:1:2 to Mr. Murdough and suggested he apply to the ZBA.

- III. Paul Maggi Trust – NRSPR Hearing Continued. The Planning Board has received two letters from Bill Kaull, a trustee for the abutting property owned by the Edward Dane Trust, one letter is dated May 6, 2009 discussing the ownership of the brick building that Mr. Maggi discussed at his previous meeting, and one dated May 18, 2009 objecting to the proposed outdoor use of Mr. Maggi's property for events. The Board received a letter from Herbert Dane, also a trustee for the Edward Dane Trust, objecting to the proposed outdoor events. Nat and Arabella Dane also wrote a letter outlining their objections. Mr. Maggi presented the Board with a letter outlining his proposal. Mr. Maggi is proposing a five room bed and breakfast. In his letter Mr. Maggi states their intention was never to market major events heavily, but rather, if approached by a party interested in using the property for an event, they would be able to provide the setting for such a use; in the future they might be able to provide guest cottages. Lee Mattson said that the use of the property for events is not specifically allowed as a permitted use in the Agricultural/Rural zone. Charley Hanson said that this seems like two issues, a Bed and Breakfast and the event component. Mr. Hanson feels to be reasonable these two proposals should be acted upon separately. The Board

could act on the bed and breakfast now and Mr. Maggi can apply for the event use later. Chuck Burns said that he would like all issues other than the bed and breakfast off the table at this time. Mr. Maggi agreed. Lee Mattson announced that the application would be for a bed and breakfast only. Mr. Maggi presented the Board with a new site plan. Parking for the bed and breakfast would be behind the carriage house and an area along the driveway would accommodate eight cars. Parking for Mr. Maggi's vehicles would be behind the house. The bedrooms for the bed and breakfast will be in the house. The carriage house will be private space for the Maggis and will be marked private. There will be no parking in the orchard. The sign is one sided with an overall size including the structure to hold it of 8'4" high and 6'4" wide; it will be lit from the top with a non-glare directional light. Mr. Maggi will have lighting around the carriage house and the walk-way, but does not plan to have driveway lighting. Arabella Dane asked Mr. Maggi if he planned to have any outdoor events. Mr. Maggi answered, "No." Arabella Dane asked about the conferences that are advertised on Mr. Maggi's website. Mr. Maggi said that people could stay at the bed and breakfast and other places in the area and have the meetings at his bed and breakfast. Chuck Burns said that he would like this to be similar to a home occupation; blend in with the neighborhood. If people are staying at other establishments and come here for meetings this would not be just a bed and breakfast. Lee Mattson explained to Mr. Maggi that if he had an inside event that would bring more people than could sleep at the bed and breakfast he would have to provide more parking. Ken Ballance told Mr. Maggi that he would exceed the number of people who could be on the private septic system; if Mr. Maggi adds extra people the septic system will have to be upgraded. The only septic approval for this property is from 1972. Mr. Ballance said that the rules are specific; the number of bedrooms determines the size of the septic. The Board received an email from Fire Chief John Schlemmer saying he needs to do a "walk through" of the building. Ken Ballance said that a Certificate of Occupancy will not be issued until he receives a letter from the Fire Department stating that all of their criteria has been met and he receives the results of a water toxically test. It was moved by Mark Stearns and seconded by Charley Hanson to accept the completed application. The vote was unanimously in favor. It was moved by Charley Hanson and seconded by Mark Stearns to approve this site plan for a bed and breakfast with the following conditions:

No more than 5 guest rooms and owner's quarters;

Five parking spaces behind the carriage house and eight parallel parking spaces along the driveway adjacent to the carriage house;

Outdoor lighting visible from the roads shall be "cut-off" type fixtures;

Site inspection to be done by Ken Ballance, Health Officer, twice a year at his discretion;

No use of the blacksmith building;

No public use of the carriage house;

No outdoor events;

Subject to the state of facts shown on the plan presented on May 19, 2009.

The vote was unanimously in favor.

- IV. Other Business. The Selectmen will be asked to send a letter to Cynthia Melo advising her that a site plan review will be needed if the landscaping business is to continue on her property.

- V. The Chairman adjourned the meeting at 8:40 P.M.

Submitted by,