

**TOWN OF CENTER HARBOR
PLANNING BOARD**

**Tuesday, July 5, 2022
Meeting @ 6 p.m.**

Chair Charles Hanson called the meeting to order at 6:00 p.m. Present Vice Chair Peter Loudon, Selectmen's Rep Bill Ricciardi, Secretary Rachel Xavier, Members Kelli Kemery, David Nelson, Alternate Member Steven Brown, Alan Rilla and Clerk Aimee Manfredi-Sanschagrin. Absent with notice Mark Hildebrand.

Public Attendance: Jenn Bukowski owner Makers Bazaar, LLC, Mark Taylor, Derek Kline, Maureen Criasia, Sharon O'Donnell,

Voting Members: Charles Hanson, Peter Loudon, Bill Ricciardi, Rachel Xavier, Kelli Kemery, David Nelson and Alan Rilla.

I. MINUTES:

Chair asks for a motion on the June 21, 2022 minutes. Peter Loudon motions to pass the minutes as corrected. Seconded by Alan Rilla. All were in favor of approving the minutes.

II. PERMITS:

No questions or comments on the permits.

III. PUBLIC HEARING – NRSPR Carcorp, LLC (The Makers Bazaar, LLC Tenant) 12G Main Street #8 102-060-012 CASE 2022-0705

Chair asks for applicant to introduce herself and let the Board know what she is looking to do. Jenn Bukowski states she's the owner of the business she's a tenant in Senters Market she has a gift shop in Wolfeboro and they are looking to expand the business into Center Harbor. Jenn states the owner of her condo bought four units and they are renting one. Her business is a gift shop and they support a lot of local artisans. Chair asks for a motion that the application is complete.

Motion to accept the application: Peter Loudon motions to accept the application as complete. Seconded by Kelli Kemery. All were in favor. Chair states the request is pretty straight forward similar to Sandra McClaskie whereas it was originally retail space but due to there not being any activity for many years the applicant just needs to come in and essentially reactivate the use. This process is more of a formality. Chair states the signage requirements, as with the previous approval for Sandra would be the same meaning, the signage allowance is part of the original Site Plan Approval for Senters Market from 1989. The site plan approval indicates retail space has signage allowance of 1 (one) sign at 1'4" x 12'. Chair asks if anyone from the public would like to comment? Hearing none Chair asks for a motion to approve the application.

Motion: Bill Ricciardi motions to approve the application as presented with the signage allowance as indicated on the 1989 Senters Market Site Plan of 1 (one) sign at 1'4" x 12'. Peter Loudon seconds the motion. All were in favor.

Jenn Bukowski asks about the signage and whether or not she can have more. Chair states unfortunately, no. The site plan is what it is but he mentioned that as with Sandra McClaskie, they suggested that perhaps the president of the association and the other condo owners put forth a new proposal on signage. The Chair states there are non-compliance issues there as it pertains to signage and perhaps it's time for that approval to be revisited. The way to do that is to have the condo owners/association come forward and propose an amendment. Jenn Bukowski states as a tenant there is a little, she can do but she will relay to the owner what the Board has suggested.

IV. PUBLIC HEARING – NRSPR – Winnvestments, LLC (Rubbin Butts BBQ, Tenant) 313 Whittier Highway 102-074 CASE 2022-0705A

Chair states there is an application for Rubbin Butts BBQ to add 3 picnic tables for outdoor dining. No one from Rubbin Butts, BBQ or Winnvestments, LLC were in attendance but they attended the previous meeting and stated their request verbally and submitted a written request for Board review. Chair states again this request is pretty straight forward, the picnic tables were in use during Covid and they would like to have this as a permitted use to their business. Board thought the request was reasonable.

Motion to accept the application: Peter Loudon motions to accept the application as complete. Seconded by David Nelson. All were in favor. Chair asks if there is any further discussion, hearing none Chair asks if anyone from the public would like to comment? Again, hearing none Chair asks for a motion to approve the request.

Motion: Peter Loudon motions to approve the request to allow 3 picnic tables outside as presented in the application. Kelli Kemery seconded. All were in favor.

V. OTHER:

Camp Eagle Cliff – Amended NRSPR Application Review:

Per 3:2:2:1 of the Non-Residential Site Plan Review Regulations. The Planning Board will consider accepting an amended site plan application for Kodiak Holdings, Inc (Camp Eagle Cliff). Notice required per RSA 676:4:1 (b)

Chair states this is a narrow decision for the Board, the Board needs to determine whether or not the application submitted is complete. The Board reviewed the application and states the application is incomplete. The applicant will need to do a bit of leg work and submit an application with the correct documentation as it pertains to a Type A site plan.

Chair asks if the Board has any questions. A person in the audience states the Board can speak to him because he represents Camp Kodiak. (The Property Owner is LC Center Harbor, Inc., to date The Board has not received a letter of authorization from the property owner on who can speak on behalf of the property as it pertains to the application before the Board.) Peter Loudon requests the individual state his name for the record and he should wait to be acknowledged by the Chair before speaking again. Mark Taylor states his name and said he is one of the representatives for the camp, Camp Eagle's Cliff that's under Kodiak. Chair asks if Mark understood what he said about the status of the application he submitted. Mark responds partially, I asked for the clarification on the site plan that I was to submit and there was some discussion about what was entailed. I read the directions and hand drew the plans for this submission and I believe I was called back for this meeting by the Selectmen to ensure there would be a site plan done by an engineer or surveyor or

whoever that is. Chair states we need to know what the existing conditions are on the site. Mark Taylor said he did that, I was told I could draw that in and give some insight. Chair states he received some bad information, you fall into a certain category of use such that you have (asks the Clerk if the 2-page checklist was shown to them, Clerk responds yes it was) you need to follow the checklist and what I suggest you do is that you set up a time with Aimee at the town office and she can walk you through what you need to do. But you need to have a licensed surveyor go out and shoot all the existing conditions, structures, features of the site etc. but we also need somebody who is an authority to sign off on this application and that's a big deal because we are not going to do anything until we get that.

Mark Taylor states he understands and that will come with the site plan. Chair states and the application. Mark said I believe it says initially you can hand draw to scale and submit it that way. Chair in some cases you can. Mark Taylor, can I finish? Chair, no I'm telling you, that only works for certain things and you fall into a category where you know what, you guys need to get serious about this quite honestly. Mark Taylor, I am serious and I'm here at the meeting listening to you and I would like to fulfill but I'm just telling you where I'm coming from. Chair, well it seems like the message isn't getting through very well this has been going on since before you and I'm telling you, as far as I know and, Bill please correct me if I'm wrong, the Selectmen have the attitude that when you got done with the 9 day kids camp this year there is no more camp until you complete this process. Mark Taylor, what the Selectmen say is not my concern right now. I want to make sure I get in the correct type plan that meets the requirements for the Board. I'm trying to educate myself as I move forward, going to Selectmen meetings I've been walked through the paperwork and that is what I submitted after being walked through that. I understand there is a site plan where I need an engineer or surveyor and I've been upfront with everyone; I can't get someone to do that for at least 6-8 months so I couldn't get one before camp. Chair and that's fine and I think that's great because this can has been kicked down the road way too long, and you have a year now to get your act together but if you came in here next May expecting to do the sob story of camp for the kids, forget it. Mark Taylor, that's fine, it's not a sob story. Let's just talk about what I need to do to get this done, my name, address telephone number is for everyone to use. I am the contact person for this project or for any questions that come up. I understand the letters that have been sent for probably 10 years now, have been put on a desk and moved to the side and I'm trying to correct that. I'm not bringing up old history, I understand I'm walking into the middle of something that has cobwebs on it that hasn't been done and I'm trying to remedy that. Chair, I applaud your attitude for getting after this but we've had a lot of lip service over the years, I'm just stating that so we are looking beyond that so we expect to have an application from you in 4-6 months whenever you get the survey done because once you have that's really the meat and potatoes. Mark Taylor, that's part of the problem there are issues with the Selectmen that I'm trying to correct so there are multiple issues and I'm trying to move forward.

Chair, the Board of Selectmen are the enforcement we are the planning so camp's done. Nothing else is going on there; the site is shut down for the season. Mark Taylor, "nope". Bill Ricciardi, "yes". Mark Taylor, "no, excuse me just one second, this is private property. I go onto the property to caretake the property and there are probably 10 or so others that go on and off the property to take care of it as well. We are not having registered events or anything if that's what you are referring to." Bill Ricciardi, correct. Mark Taylor, no and I understood that from the meeting there are no "registered" events going to be happening until the site survey is done and most likely everything needed won't be done until close to next year and we are fine with that but you should know there will be people going there as private citizens I guess so it's not going to be shut down there just want

be any registered events there. Bill Ricciardi, well there won't be any registered or unregistered events there, no events there at all. If you want to have caretakers go wash windows and sweep the floors then fine, but there will not be any kind of camp there and you agreed to that. Mark Taylor, the 10 registered events which are we supposed to be talking about that at this meeting? Bill Ricciardi, no this meeting is to discuss whether the application you submitted is complete or not which we have determined it's not. You have a whole year now to come up with authorization from an owner of the property and a site survey and then we are probably going to do a site walk so we can verify what's there, this Board will walk the property with you. Mark Taylor, well I would think someone from ownership should be there. Bill Ricciardi, then next year if everything is complete you will be able to run the camp but this year and the reason you have the drawing is because we (referring to the Selectboard) wanted you to put something in to make the application and submit something so you could have the camp for this week because that time was already here and we didn't want to let that go by and the kids have camp. That's done, so we are now looking at the actual site plan and it's incomplete. Mark Taylor, ok the handwritten thing is part of that application, you can hand in a handwritten thing it says it on the paper. Clerk responds that states for "pre-submission". Chair, let me simplify this for you right now then because we are going to go ahead and vote on this.

Motion: Chair motions to reject the application as complete. Seconded by Peter Loudon. Chair asks if there are any other questions by Board members hearing none. Chair asks if all are in favor of rejecting the application as complete. Vote was unanimous.

Mark Taylor, I'm starting new to a lot of this stuff is there an ordinance or something somewhere that says exactly what I need to do and what is required? Chair, yes. I would strongly encourage you to set up a time with the Clerk to walk through it and then you will know exactly what you need to do but it is all online. Mark Taylor, I know it's online but I want to know where it says you need to have it done after you registered a piece of land. Clerk states under the Non-Residential Site Plan Review Section Type A is what this property would fall under because under the original site plan there has been expansion, and that expansion does require that Type A application which is to be supplied on a plat. Anything that was done on that site required the original approval of the site plan required planning board approval and what that means you would have needed to come back with an amended site plan which would be the existing conditions plan. Mark Taylor thank you for telling me that because that is what I need to know. I didn't know that. Clerk, and the paperwork that you did have during the Selectmen's meeting and what you acknowledged is what you needed to do. That document outlines everything. Mark Taylor, ok yes, so I will make an appointment.

Mark Taylor, I just want to make sure the language is clear with what Mr. Ricciardi said, we will have no registered events. Specifically, what we're talking about with the 10 events a year. Bill Ricciardi, right those are not going to happen. Mark Taylor, correct. Bill Ricciardi, you keep saying registered events so are you going to have an unregistered event? Mark Taylor, I'm not sure what your definition of that is. Bill, you brought it up so I'm trying to figure out what you mean. Mark Taylor, I did. Bill, you are making a distinction between a registered and unregistered event so I want to know clearly, what you're talking about because you're talking in circles a lot and I don't do well with that. Bill, to be clear there are not going to be "any events" don't call them registered events don't call them unregistered events there is not going to be anything happening on that property for the rest of the year except for whatever you said maintenance, washing windows, vacuuming the rug and there are not going to be "campers" dressed up as "maintenance or utilities guys". Mark Taylor, utility guys? Bill, like cleaning or maintenance guys, you said there were

going to be people walking around the property doing maintenance. Mark Taylor, yep. Bill, it's not going to be campers dressed like maintenance guys, I'm asking you that question. Mark Taylor, ok so you mentioned a lot there. Bill, not really, I think I'm being very clear, "are you having just maintenance guys there or are you going to have campers there pretending they are maintenance guys and having a camp?" I'm not sure how much simpler I can state it. Mark Taylor, I don't appreciate the insinuation, people who are working there myself included, stay over at night there. I'm from Massachusetts, I have a house right down the street here for 45 years, but when I go to that camp, like I have for 2 ½ weeks, I sleep there. There are 5 of us that sleep there when we are working on the camp to either get it ready or clean it up. When we are doing maintenance there is probably at the most 5 guys staying there. When we talked during the Selectmen meeting, it was very specific, straight line. You are not going to be allowed those 10 events and I think they are called registered events which is why I'm using that terminology. The other straight line is, there might be people staying over there. We have campers that squatted there for about a month last year. Bill Ricciardi, and that is your responsibility to not have that happen. Mark Taylor, right that is our problem I understand that and we would deal with that through the police. What I'm saying is there are people walking around up there that are working and staying over at some point in the next year. You can call them what you want, we are not going to send out invitations by email like we did for the camp that we had or any set programs we had that's not going to happen. Bill Ricciardi, that's fine let's just keep one last thing in mind, if it comes to light that is not what's happening and you did have events there, I believe the Selectboard said you would not have any events next year at all. Mark Taylor, I don't believe you are correct but we can argue about that. Bill Ricciardi, no I don't want to argue I just want to tell you what the ordinances say and that you need to follow them like everybody else. Mark Taylor, I'm going to save that for the Selectmen. I have to find out what those are too because I'm not familiar with the law. Bill Ricciardi, it's the ordinance in the non-residential site plan review. Mark Taylor, I understand that for this meeting yes I'm trying to also look ahead for once I get this done, I'm going to talk to the Selectmen like I have been and I want to develop a relationship with them to understand what else we can do. Is there neighbor issues is there camp issues that the Selectmen are worried about, I want to be open about that and I'm trying to. I'm not trying to pull the wool over your eyes that I'm going to send out an email that there is a father and son weekend coming up just bring your shovels. It's not going to happen. I'm trying to be as open and transparent as I can. There will be people up there working and probably staying over, not for a week but a couple days at the very most. Bill Ricciardi, we are going to take this one step at a time. Mark Taylor, I appreciate that. Chair, ok so make that appointment and move through the process. It's July now so maybe January we might have something before us. Mark Taylor, the surveyor said he could have this done by the end of the year. Peter Loudon, just remember it has to be submitted a certain number of days before our meeting so we can see it otherwise it will be kicked to the next meeting. Mark Taylor, yes, I understand I'm not going to come in and hand it to you and ask for approval.

Chair, I will give you a heads up and you may have noticed there are some people in the audience tonight, I know some of them are here because of this issue but there is nothing more to discuss from the Planning Board's perspective but I guarantee you, when you bring your application forward, there will be a lot of folks here that will have comments about the camp. I don't know how much history you have about that property but I would get as good of an understanding of what has happened in the past as possible so you have eyes wide open. Mark Taylor, yes, I'm learning a lot of the history on both sides and there is a lot on our side that we need to get up to speed on.

PERMITS:

Bill Ricciardi asks a question about permits, whereas the Selectboard approves them, I had asked Aimee to forward permits in electronic format, as we get with the PB, to the Board of Selectmen. We currently get hard copies but I asked for the electronic copies as well. Now that we have an Code Enforcement Officer doesn't it feel like the permits should really be the purview of the PB and not the Selectboard? Chair, no because the Selectboard is the ultimate code enforcement body within the town. The Code Enforcement Officer works for you (Selectmen) not for us. Bill, right but it seems the PB should look at and approve the permits and leave the enforcement to the Selectboard. Chair, I would say no because all we do is come up with ordinances for people to follow. Our responsibility is done once we take that to the town for vote. Chair, the permits that are sent to the PB is really just a courtesy to keep us up to speed on the ordinances we've implemented. You may recall, particularly when Ken was here, he would come to us and say "here's something we need to change how this works because it's not working well" and we would give us tangible examples.

Moe Criasia 116 Hawkins Pond Road, the other thing I was thinking, you don't get the applications you get the permit after it's permitted. For you guys it might also be a flag especially if it's in conjunction with a non-residential site plan that it would be a flag to the PB to identify that particular parcel is under a non-residential site plan and that would be a flag. Bill Ricciardi, that would come through the Selectboard. Chair, we've given a site plan approval with conditions so it's a matter of implementing, we are not implementers. We lay the road map and it's up to the Selectboard to navigate it. Moe Criasia, do the Selectmen have a list of the NRSPR properties in town? Chair, I don't believe a formal list, do you Bill? Bill, no. Moe, I'm just thinking of things that have fallen through the cracks over the last few years and a mechanism to tighten that up, I thought having the ability to flag something would be beneficial. Chair, thank you.

Robert Dionne of Preston Road an abutter to the camp property. Any time they make changes in the buildings or whatever with a building permit are we supposed to get copies or letters to notify us of that as an abutter? Chair, no but they are posted on line now. Clerk, they are public information, they are not posted on our website but they are public information once they have been reviewed by the Selectmen then you can request to review it. Robert Dionne, everything that is done and built now should all be done to building code? Chair, correct in theory. Derek Kline, don't the building permits have to be posted? Clerk, once they are approved, I have them electronically or I have them in the folder. (Sharon O'Donnell) Isn't he supposed to say his name I don't know who this is. Derek Kline, I'm Derek Kline I'm here observing. (Sharon O'Donnell) you live in Center Harbor? Derek Kline, yeah, I mean no, I own property in Center Harbor. (Sharon O'Donnell) ok I thought we were supposed to state our name. Derek Kline, I'm sorry I was trying to be helpful. Chair, sorry I got a bit lax, but who are you? Sharon O'Donnell, says sorry and introduces herself, 546 Waukegan Road and have a process question. The camp is going to submit a survey and then you are going to walk the site? I didn't hear anything about a public hearing.

Chair, I will lay out the process for everyone. What will happen, in theory, Mr. Taylor is now the point person. I think we've made it abundantly clear that he needs to file a certain type of application.

VI. ADJOURNMENT:

Chair adjourns the meeting at 6:42 p.m. Next meeting scheduled for August 2, 2022 at 6 p.m.

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