

TOWN OF CENTER HARBOR  
PLANNING BOARD  
Meeting  
Tuesday, April 5, 2016

Chairman Charles Hanson called the meeting to order at 7:00 p.m. Present were Selectmen's Representative Harry Viens, David Reilly, Peter Loudon, Bill Ricciardi, Bob Coppo and Clerk Aimee Manfredi-Sanschagrin. Jackie Baker and Kelli Kemery absent with notice. In the audience, Mike Izard from LRPC, David Dolan Surveyor and his client Ken Yorston.

- I. **MINUTES:** Peter Loudon motioned to accept the minutes of March 1, 2016. Seconded by David Reilly. All were in favor.
- II. **PERMITS:**  
Board reviewed the construction permits applied for in March.
- III. **INFORMATION DISCUSSION: BARTLETT HILL ROAD VACANT LOT 226-014 KNOWN AS LOT 3 ON SUBDIVISION PLAN OF ADSC REALESTATE, LLC**  
Chairman announces this is an informational discussion meaning there will be no vote taken. Any information the Board provides is not binding in any way.

David Dolan from Dolan Associates representing Ken Yorston addresses the Planning Board (PB). David states Ken Yorston is interested in purchasing a property on Bartlett Hill Road as shown on a subdivision plan as Lot 3. Chairman asks if this is Brian Bushman's lot, Ken Yorston responds it's the abutting lot to Brian Bushman. David shows the zoning line on this particular lot as it is split between two different zones, one portion of the parcel is in the Commercial Light Industry (CI) Zone and the other portion is the Agricultural Rural (AR) Zone. David continues by stating there is a note on the plan as to what would be allowed on this particular lot. The note on the plan states "For zoning purposes Lots 1-2 shall be deemed Commercial Light Industry and lot 3 shall be developed commercially only if the commercial development occurs within that portion of the lot appropriately zoned. Lot 4 shall be developed deemed Agricultural Rural.

David states his client is trying to find out some information on what can be done on the lot with the limited space due to the zoning line and wetlands set back. Ken Yorston provides the Board with a brief description of his intentions. Ken owns a landscaping company, he would like to have a building and some materials to be stored at the location. The materials used would be for his own personal use, as it pertains to landscaping his client's properties. The material at this location would not be for sold directly to buyers, the material again is for the sole purpose of day to day business for his client's properties.

Mike Izard from LRPC reviews the plan, Mike was involved with the PB during the subdivision of these lots. Chairman asks David Dolan if he had spoken to Ken Ballance Code Enforcement. David responds yes and that Ken thought it would be a good idea to have a discussion with the PB. David said the issue such as septic system, and indicates on the map where that septic would need to be and if it would be allowed. The discussion about where the septic could be placed whereas this would be the septic for the business was of concern. The other question would be parking, would the parking have to be on the commercial portion of the zone or could the parking lot be located on the AR portion of the lot? David's client may want to put a dwelling on the AR portion of the lot and his business on the commercial portion.

Chairman asks Mike if he remembers when the parking issue came up the last time. Mike responds yes. Chairman thought the parking needed to be on the commercial portion of the lot. Peter Loudon states with Everett's property the commercial parking is on the commercial portion of the lot and not to infringe on the residential.

Bill Ricciardi asks if the lot is vacant. David Dolan responds yes. The Board looks at the abutting lots, one is owned by Brian Bushman in the CI zone the other is a house lot with a modular home in the AR zone.

Chairman, looking at our setbacks would what you have in mind for a building fit in the commercial area? Ken Yorston, the owner of the lot states it can accommodate a 40x60 building, I plan on building a 30x45. Chairman, there is no set back from the boundary line, the only question becomes where to locate the leach field.

Ken adds I marked out the measurements of the building and it appears it will fit the biggest concern for me was the parking. The grade of the land in the commercial portion of the lot where the parking could go is very steep. With how the land lays and the wetlands if I could add fill I could make the lot behind the building which I would not have a problem doing it's just I don't want to have any wetlands issues.

David Reilly asks where the stock pile of materials would be. Ken responds he uses 80-90 yards per season for his current customers which is one tractor trailer load in the spring. If we build up the lot where the parking would be I would put some there. David asks if he uses gravel and pea stone, Ken responds only a couple yards here and there if I need it for a specific job.

David Dolan brings up the driveway, the access to the commercial portion of the lot crosses the AR zone. If it's only a commercial building on the lot what happens. Chairman, that's a good question.

Chairman asks Ken Yorston if he has a little bit of time for the PB to review the minutes from the hearing pertaining to the original subdivision along with a review of the online map for this parcel. Chairman reiterates, it's not binding in any way just us trying to offer some guidance. Ken Yorston agreed to give the Board some time, clerk will provide minutes and other pertinent information surrounding the subdivision of these lots to the Board via email.

#### IV. **OTHER:**

Town Ordinance booklets are distributed to the Board.

Board reviews and approves the LRPC Invoices 1160 and 1175 to be paid.

Chairman discusses adding the Town 75ft setback for waterfront properties on the water resource online map. CAI will add the 75ft setback, the zoning lines and open the overlay map to the public with the approval of the work order submitted to PB clerk last week. Board approves the cost for the work to be done by CAI.

Chairman updates the Board about our PB policies per a discussion with Town Attorney. We need to look at OEP's Planning Board Guide Book and compare it to our policies and see what our needs really are. Clerk will redline the current policies and distribute to the Board and Mike Izard along with OEP Guide Book for discussion at April 19<sup>th</sup> work session.

Chairman discusses the changes passed and signed by the Governor for **Senate Bill 146 AN ACT relative to accessory dwelling units** which takes effect June 1, 2017. Chairman states we will need to take a serious look at this and make changes to our current ordinance for next Town Meeting. Chairman tasks Mike Izard with finding all the places in our current Ordinance where we would have to make changes to accommodate the new bill for accessory dwelling units.

Clerk lets the PB know the OEP conference has been re-scheduled to June 4<sup>th</sup> if anyone is interested in going she needs to know by May 27<sup>th</sup>. Discounted rates for enrollment prior to May 10<sup>th</sup>.

Chairman, one other update if any of you are following the case in Gilford at Beans and Greens as it relates to Agritourism, currently there are two Bills in the legislature that are working their way through. They are competing Bills, so we need to wait and see what happens. Depending on which Bill passes we may need to take action for 2017 Town Meeting.

The Chairman adjourned the meeting at 8:00 p.m. Next meeting scheduled for April 19, 2016 @ 7 p.m. Respectfully submitted by Aimee Manfredi-Sanschagrín.