

TOWN OF CENTER HARBOR  
PLANNING BOARD  
Meeting  
Tuesday, May 1, 2018  
7 p.m.

Chairman Charles Hanson called the meeting to order at 7:00 p.m. Board members present Selectmen's Rep Harry Viens, David Reilly, Bill Ricciardi, Kelli Kemery, Mark Hildebrand, Alternate Winnifred Boynton and Clerk Aimee Manfredi-Sanschagrin. Bob Coppo and Peter Loudon were absent.

In the audience: David Dolan, Justin Cutillo, Luke Dupuis, Adam Pierce and Code Enforcement Officer Ken Ballance

- I. **MINUTES:** Harry Viens motioned to accept the April 3 2018, minutes. It was seconded by Bill Ricciardi. All were in favor.
- II. **PUBLIC HEARING – BLA FOR C. CHRISTENSEN TRUST TML 103-010 & D. CHRISTENSEN TRUST TML 103-013**

Bill Ricciardi recuses himself for he is an abutter to the property.

**Voting Members: Charles Hanson, Harry Viens, David Reilly, Kelli Kemery and Mark Hildebrand.**

Chairman opens the hearing, David Dolan of Dolan Associates will be presenting for the applicants. David Dolan provides the Board with an overview of the proposal stating one lot 103-010 is developed the other 103-013 is land only. The BLA would result in a net change of the northerly lot TML 103-010 of .10 acres. David Dolan provides an overview of the map showing the new boundaries for both lots. The monuments have not been set yet, once that is completed a new plan with monuments will be submitted for PB approval along with the Mylar. David states both properties utilize the municipal sewer. Chairman asks which sewer line serves those properties. Dave Dolan responds Bay Sewer District.

Chairman, the question I had, which I discussed with Aimee earlier, is whether or not the lots would still be conforming by changing this and it appears that they are. The smaller of the two lots is gaining a tenth of an acre so it meets the requirements.

Chairman asks if there are any other questions from the Board. Hearing none, Chairman asks if there are any questions from the public. Hearing none Chairman closes the public input at 7:09.

**Motion to accept application:**

**Chairman Charles Hanson makes the motion to accept the application as complete. Harry Viens seconds. All were in favor of accepting the application as complete.**

Chairman asks if there is any further discussion. Harry Viens states his understanding is that lot 103-009 is an empty lot and the Belle Vest dwelling is one lot over. There is some issue with this lot 103-009 and I just want to make sure this is not going to cause any problems.

Ken Ballance responds that Lot 103-008 where the dwelling is the owners had to purchase the abutting lot in order to have enough frontage because the wetlands calculations would not have allowed that house to be built without adding additional land. Harry Viens, ok so that lot in the middle 103-009 cannot be built on? Ken Ballance, correct.

Harry Viens, my other question is what happens to this lot 103-013, they are losing some land is that still a buildable lot? Ken Ballance, yes as long as it meets all of the setback criteria.

**Motion to approve the application:**

**Chairman makes a motion to approve the proposal as presented. Seconded by Mark Hildebrand. All were in favor motion passes.**

**Chairman states there is a 30 day appeal process for anyone that may want to appeal this decision of the Board.**

III. **PERMITS**

Board reviewed the permits issued in April

IV. **OTHER**

**Center Harbor Inn:** Informal discussion regarding seasonal boat slip rentals from the April 3<sup>rd</sup> meeting is still ongoing. Chairman updated Justin Cutillo that the Board is still researching the situation and that at this time, the Board does not have any answers for them but hope to in the upcoming weeks. Justin Cutillo of Center Harbor Associates mentions based on some of the conversations he has had with people in Town, he was made aware that there were some concerns surrounding parking at the Center Harbor Inn in relation to the seasonal boat slip rentals. Justin provides documentation to the Board that shows the reduction in room capacity from what was previously there to what is there now. Justin states that the total bed count went from pre-renovation of 76 to post renovation of 46. Per the last count of parking spaces there are 44 spots. Clerk will provide documents to the Board for review.

**Informal Discussion Luke Dupuis:**

**Chairman announces this is an informal discussion, there will be nothing binding by anything said by anyone on this Board.**

Luke Dupuis introduces himself and his business partner Adam Pierce for the company Retreat Custom Builders. What they would like to do is establish a better end building company in the community of Center Harbor that is going to harmonize with the business I have created myself at Home Comfort. So I'm trying to establish a structure that can facilitate this. Our thought is to take both 38 and 42 Plymouth Street and combine them to one lot and join the two buildings with a connector that will be 20' wide by 30' long.

Luke provides the Board with some information on what he would like to do with the building regarding updates. Luke would like to know if the Board has any questions or could provide some direction to him on what needs to be done.

Bill Ricciardi asks if Luke has any plans with him. Luke apologizes that he does not have any with him but has some copies at his office that he can supply.

Chairman states again this conversation is information only, nothing said by anyone here is binding. With that being said, I think what you are asking is reasonable without delving into the specifics. Chairman asks Ken if he would need site plan review, Ken states yes, he's going to need to merge the lots together so that will change the scheme of what's there. It's going to become one structure because it will be connected. Ken continues, lot coverage is not an issue parking is not an issue.

Chairman anything else? Luke no, I think we just need to do an application and get in front of you. One other thing, I would like to figure out a way to somehow create condo units. The reason is to have this large building and if retire or something else happens it may be difficult to offload such a large building. If they are condos it would be easier for me to deal with making those adjustments. Chairman, it's the same as Senter's Market, Luke responds correct, so perhaps mirror what we have there. Luke then asks about signage, the two buildings currently have about 150 sf of signage, I understand by merging the lots the amount of signage that we can have jumps down to 100 sf. so we would like to figure out a way to try not to lose what we already have but don't know if that's possible. Ken Ballance, Zoning Board of Adjustment would have to carve that out for you by way of a variance. Luke if we make them into condos are the rules different. Ken Ballance, no it doesn't change anything. You can have up to 5 signs on each condo but the total building, in this case 3000 sf building can only have 100 sf of signage. Luke, so no matter what it cannot be more than 100 sf? Ken Ballance, not without Zoning Board approval, and with Senter's Marketplace that was a deal that was made and so that was a different issue. Luke asks should they make their sign request a separate application. Ken Ballance, if you want to go over what is allowed, which is 100 sf, then yes.

Chairman asks Luke if he's close to submitting his application, Luke responds yes. Clerk asks for clarification on whether the lot merger has to happen before the Board can hear the case. Luke asks if there can be a contingency. Chairman says no Boards don't like to do things with contingencies. Clerk also mentions the lots need to be in the same name in order to be merged which currently they are not. Luke said he would contact his attorney to get some of these issues straightened out.

Clerk asks if Luke would like to discuss the public restroom situation or hold off. Luke had brought up during his initial request for an informal discussion with the Clerk the possibility of adding a public restroom as part of his project. Luke said yes, we had talked about potentially providing some type of public facilities for the Town but I think that's another bit of an obstacle. Where we would be looking to put them we would not be able to meet setback requirements so it could be challenging. I'm certainly open to doing it and working out some type of deal where we could provide some. I guess if the community development association wants to see something like that happen maybe we can talk collectively and see what we can present. The whole monitoring issue and the concern that comes up when you chat with people is the issues other towns have had with public restrooms. I don't want to have heroin addicts in my bathrooms or hanging around my building.

Chairman, well you will. I hate to say it but that's the reality.

Luke, well it's unfortunate, as much as I would like to do it I am fearful of it. I'm afraid I was a little naïve when I had discussed the possibility of doing this.

Chairman, well I think you're wise to come to the realization that you have because I agree with what you have said in its entirety. Other towns are closing their public restrooms of course businesses are supposed to provide public restrooms.

Luke, I agree. I think if you run a business you should provide facilities. Nothing irritates me more than a sign saying there is no public restrooms. Well it's unfortunate but true and it's just the world we live in.

Chairman, and 10 years ago you would not have said that but it's amazing how quickly the environment has changed.

Bill Ricciardi asks if by having condos in this building whether or not they needed separate entrances for each unit. Ken responds no as long as there is a hallway for egress out 75'. They can share primary hallways. You can't enter one to get to another. No further discussion with Luke.

David Dolan mentions some missing data in the subdivision section of the zoning ordinance. Clerk states she did find some of the data was missing based on previous conversations with David Dolan and has added that information to the online zoning ordinances. Clerk asks David if he believes anything else is missing to let her know.

Meeting adjourned at 7:37 p.m. Next meeting scheduled for June 5, 2018 @ 7:00p.m.  
Respectfully submitted by Aimee Manfredi-Sanschagrin.